

Memorandum

REPORT TO: City Commission

FROM: Kelley Rischke, Assistant City Attorney
Greg Sullivan, City Attorney

SUBJECT: Adopt Findings of Fact and Order for Appeal 25769 Amending the Conditional Approval of the Sundance Springs Subdivision Commercial Lot 2 Site Plan, Application 25238

MEETING DATE: May 5, 2026

AGENDA ITEM TYPE: Community Development - Quasi-Judicial

RECOMMENDATION: Adopt the attached Findings of Fact and Order for Appeal 25769

STRATEGIC PLAN: 4.1 Informed Conversation on Growth: Continue developing an in-depth understanding of how Bozeman is growing and changing and proactively address change in a balanced and coordinated manner.

BACKGROUND: These Findings of Fact and Order memorialize in writing the decision made by the City Commission on Appeal 25769. The City Commission held a public hearing on February 24, 2025 on Appeal 25769, which sought to overturn the Director's conditional approval of the Sundance Springs Subdivision Commercial Lot 2 Site Plan Application 25238. The Commission deliberated and voted to amend the Director's conditional approval on March 24, 2026. The Commission then voted approve the amended conditional approval of site plan application 25238.

The attached Findings of Fact and Order for Appeal 25769 incorporates by reference the entire record of review and sets forth the findings made by a majority of Commissioners supporting the decision to amend and then approve the amended conditional approval of site plan application 25238. The Commission's adoption of the Findings of Fact and Order formalize the Commission's decision in writing.

UNRESOLVED ISSUES: None.

ALTERNATIVES: Do not adopt the Findings of Fact and Order for Appeal 25769 and provide specific direction to staff to amend the Findings of Fact and Order.

FISCAL EFFECTS: None

Attachments:
[25769 Sundance Springs Appeal Findings of Fact and](#)

[Order.pdf](#)

Report compiled on: April 15, 2026