



PREPARED FOR THE PLAN COMMISSION

Project Address: 4952 Thorson Road, Town of Sun Prairie
Application Type: Certified Survey Map (CSM) in the Extraterritorial Jurisdiction
Legistar File ID # [86421](#)
Prepared By: Timothy M. Parks, Planning Division
Report includes comments from other City agencies, as noted

Summary

Applicant & Property Owner: Gary and Rose Price; 4952 Thorson Road; Sun Prairie; Kaylee Fritz, representative.
Surveyor: Paul Spetz, Isthmus Surveying, LLC; 450 N Baldwin Street; Madison.

Requested Action: Approval of a Certified Survey Map (CSM) to create two lots from land addressed at 4952 Thorson Road, Town of Sun Prairie, in the City of Madison’s Extraterritorial Jurisdiction.

Proposal Summary: The subject site is a 16.3-acre parcel developed with a single-family residence and detached garage located on the southernmost third of the site. The applicant proposes to divide the U-shaped parcel to create a 5.0-acre lot to allow a second residence to be built on the property. The CSM will be recorded as soon as all regulatory approvals have been granted.

Applicable Regulations & Standards: The subdivision process is outlined in Section 16.23(3)(c) of the Subdivision Regulations. In particular, the Plan Commission shall determine that the proposed subdivision complies with each of the following criteria for approval in the extraterritorial plat approval jurisdiction:

1. The proposed subdivision or land division shall be compatible with adjacent development patterns and shall maintain the general land development pattern of the area in question. Measures of compatibility shall consider lot sizes, traffic generation, access, noise and visual features.
2. The proposed subdivision or land division and the resulting development shall not demonstrably adversely affect the City’s ability to provide public services, install public improvements or accomplish future annexations. The Plan Commission may consider annexation agreements with the property owner in order to comply with this requirement. The Plan Commission may also consider whether the City and Town(s) have reached an agreement on necessary public improvements and public services facilities required to serve the development.

Review Required By: Plan Commission.

Review Schedule: The State’s subdivision statute, Wis. Stats. Ch. 236, requires that action be taken on a Certified Survey Map within 90 days of submittal unless an extension is agreed to by the subdivider. If no action is taken within 90 days and no extension granted, the CSM is deemed approved. The application was determined to be complete on December 2, 2024. Therefore, the 90-day review period for this CSM will end on March 2, 2025.

Summary Recommendation: The Planning Division recommends that the Plan Commission find the approval criteria met and **approve** this Certified Survey Map subject to input at the public hearing and the comments and conditions from reviewing agencies beginning on page 5 of this report.

Background Information

Parcel Location: An approximately 16.3-acre parcel located on the east side of Thorson Road, approximately a quarter-mile north of CTH T in the Town of Sun Prairie.

Existing Conditions and Land Use: The subject site is developed with a single-family residence and detached two-car garage on the southern third of the site. The Town of Sun Prairie has “opted out” of Dane County zoning as allowed by Wis. Stats. 60.23(34) and is responsible for administering its own zoning regulations. The property is zoned A2/ AG2 (Agriculture District) under the Town of Sun Prairie’s zoning regulation, which allows a mix of residential housing and farm operations according to its statement of purpose.

Surrounding Land Use and Zoning: This section of Thorson Road is the boundary between the Town of Sun Prairie (T8N, R11E) and Town of Burke (T8N, R10E). Most of the surrounding properties to the north and east on both sides of Thorson Road are agricultural in nature. A number of single-family residences on lots of varying size are located along both sides of the road and in both towns near and south of the subject property. Lots in the Town of Burke, which is subject to Dane County zoning, are zoned SFR-1 (Single-Family Residential–1 District) and a variety of RR (Rural Residential) zoning districts (4, 8, 16), the numeric suffix of which identifies the minimum lot area requirement. Most of the nearby land in the Town of Sun Prairie is zoned in the Town’s Agriculture zoning districts.

Environmental Corridor Status: The subject site is not located in the Central Urban Service Area. As such, there are no mapped environmental corridors affecting the site.

Public Utilities and Services:

Water: Property is not served by municipal water

Sewer: Property is not served by sanitary sewer

Fire protection: Sun Prairie Fire & Rescue Department

Emergency medical services: Sun Prairie Emergency Medical Services

Police services: Dane County Sheriff’s Department–North Precinct

School District: Sun Prairie Area School District

Project Description

The applicants and property owners, Gary and Rose Price, are requesting approval of a Certified Survey Map to create a 5.0-acre lot from 16.3-acre property located at 4952 Thorson Road in the Town of Sun Prairie.

The property is an irregularly shaped parcel that surrounds three smaller parcels on the east side of Thorson Road, which are developed with two single-family residences. The parcel includes a total of 1,140.77 feet of frontage along Thorson Road in two sections, including an 864.1-foot frontage section north of the adjacent residences, and a 276.67-foot section to their south. The 16.3-acre subject parcel includes a one-story single-family residence and detached two-car garage on the southern portion of the property frontage along Thorson Road. The remainder of the site is otherwise undeveloped. The parcel is characterized by 30-40 feet of grade change from west to east across the property. Additionally, most of the eastern and southern property lines feature dense lines of trees.

Lot 1 of the proposed CSM will contain 5.0 acres of the 16.3-acre subject parcel and include approximately half of the Thorson Road frontage located north of the three parcels that the subject parcel surrounds, with 435.25 feet of frontage and lot width proposed at the northernmost extent of the property. The letter of intent indicates that a single-family residence will be constructed on Lot 1 following approval and recording of the CSM. The remaining 10.44 acres of the property (following right of way dedication) will comprise Lot 2, which will include the existing residence and detached garage as well as the remaining road frontage segments north and south of the adjacent parcels. Lot 2 will have 428.85 feet of frontage north of those parcels and the 276.67 feet to their south.

Approval of CSM by the Town of Sun Prairie and Dane County: Section 236.10 (b) of the Wisconsin State Statutes requires that subdivisions in the City's Extraterritorial Plat Approval Jurisdiction receive approval from the town of record and Dane County prior to consideration of the request by the Plan Commission, unless the town has opted out of county zoning authority per Wis. Stats. Section 60.23(34), in which case the county no longer has review authority per Wis. Stats. Section 236.34(2). The Town of Sun Prairie adopted its own zoning code in 2018.

The Town of Sun Prairie approved the proposed land division as noted in the attached board minutes dated November 11, 2024.

Analysis and Conclusion

The property is located outside of the areas currently covered by an adopted City of Madison neighborhood development plan. The Peripheral Planning Areas Map in the 2023 [Comprehensive Plan](#) identifies lands generally east of the [Reiner Neighborhood Development Plan](#) (2023) and [Northeast Neighborhoods Development Plan](#) (2009) areas as part of Peripheral Planning Area B (PPA-B). The land in PPA-B is currently within the Town of Sun Prairie and may be appropriate for City expansion after development progresses in the Reiner and Northeast planning areas.

The subject site is located across from and adjacent to the easterly edge of the [Northeast Neighborhoods Development Plan](#), which recommends that the land west of Thorson Road be developed as Residential Housing Mix 1 (HM1). In that plan, HM1 is predominantly a single-family residential district generally recommended for development up to eight (8) units per acre. The development concept in the plan shows a conventional low-density development pattern west of Thorson Road, including a network of local streets extending west from Thorson Road, which is recommended as a major collector by the neighborhood development plan. The concept plan for the Northeast planning area includes a local street intersecting Thorson Road in the general area south of proposed Lot 1 of this land division and along the northern 428.85 feet of frontage for Lot 2. The parcels immediately south and east of the subject parcel are identified as part of a Phase 2 Planning Area, which the neighborhood development plan indicates would be part of a separate plan prepared in the future; at this time, planning for the Phase 2 area has not commenced.

Planning staff feels that the final location of that street and its potential to be extended east across Thorson in the future will not be negatively impacted by the proposed land division, as the actual location of that street will not be determined until the land west of Thorson Road is developed. Staff does not feel that the ability for future annexations to occur or services to be extended to support urban development in this area will be negatively impacted by the proposed land division. Staff also believes that the Plan Commission can find that the creation of Lot 1 is compatible with the development pattern along this section of Thorson Road, which features a variety of differently sized parcels mostly developed with single-family residences north and south of the site.

Recommendation

The Planning Division recommends that the Plan Commission find the approval criteria for land divisions in the extraterritorial jurisdiction met and **approve** the Certified Survey Map to divide 4952 Thorson Road in the Town of Sun Prairie subject to input at the public hearing and the following conditions:

Recommended Conditions of Approval Major/Non-Standard Conditions are Shaded

City Engineering Division (Contact Brenda Stanley, (608) 261-9127)

1. A Phase 1 environmental site assessment (per ASTM E1527-13), is required for lands dedicated to the City. Provide one (1) digital copy and staff review will determine if a Phase 2 ESA is also required. Submit report(s) to Jack Brody (608-267-9408, jbrody2@cityofmadison.com).

City Engineering Division – Mapping Section (Contact Jeffrey Quamme, (608) 266-4097)

2. The western boundary shown as 863.94 feet is 6 feet shorter than the length of record. Also, the rear dimension of the parcels that are surrounded by this CSM is 6 feet longer than the length of record. A previous preliminary CSM of years ago does not acknowledge any discrepancy of this magnitude. The surveyor shall confirm the correct boundary.
3. The applicant shall dedicate an additional 7 feet of right of way to the public for Thorson Road to create a total of 40 feet from the center of the right of way. Also, grant a 10-foot Permanent Limited Easement to the public for grading and sloping adjacent to the Thorson Road right of way to be dedicated. Contact Jeff Quamme (jrquamme@cityofmadison.com) for the required easement language. The dedication may be less fronting the home on Lot 2 to avoid a violation of any required minimum setback to Thorson Road.
4. Wisconsin Administrative Code A-E 7.08 identifies when Public Land System (PLS) tie sheets must be filed with the Dane County Surveyor's office. The developer's surveyor and/or applicant shall submit copies of required tie sheets or monument condition reports (with current tie sheet attached) for all monuments, including center of sections of record, used in this survey, to Jule Smith, City Engineering (jsmith4@cityofmadison.com)
5. In accordance with Section s. 236.18(8), Wisconsin Statutes, the applicant shall reference City of Madison WCCS Dane Zone, 1997 Coordinates on all PLS corners on the CSM in areas where this control exists. The surveyor shall identify any deviation from City Master Control with recorded and measured designations. Visit the Dane County Surveyor's Office for current tie sheets and control data that has been provided by the City of Madison. Note there is a Madison tie sheet for the West quarter corner of Section 31.
6. Prior to City Engineering final sign-off by main office for Certified Survey Maps (CSM), the final CSM must be submitted to Engineering Land Records Coordinator Jeff Quamme (jrquamme@cityofmadison.com). This submittal must occur a minimum of two working days prior to final Engineering Division sign-off. E-mail submittal of the **final** CSM in PDF form is preferred.
7. Provide "recorded as" data on the exterior boundary as required by statute. Also provide the overall right of way length along Thorson road for the portion that includes both lots.
8. The applicant shall submit to Julius Smith prior to final Engineering sign-off of the subject CSM, one (1) digital CADD drawing in a format compatible with AutoCAD. The digital CADD file(s) shall be referenced to the Dane

County Coordinate System and shall contain, at minimum, the list of items stated below, each on a separate layer/level name. The line work shall be void of gaps and overlaps and match the final recorded CSM: right of way lines (public and private); lot lines; lot numbers; lot/plat dimensions; street names, and; easement lines (including wetland and floodplain boundaries).

*This transmittal is a separate requirement than the required submittals to Engineering Streets Section for design purposes. The Developer/Surveyor shall submit new updated final plat, electronic data and a written notification to Engineering Mapping for any changes to the plat which occur subsequent to any submittal.

Traffic Engineering Division (Contact Luke Peters, (608) 266-6543)

This agency has reviewed this request and recommended no conditions of approval.

Parking Division (Contact Trent W. Schultz, (608) 246-5806)

The agency reviewed this request and has recommended no conditions of approval. A Transportation Demand Management (TDM) Plan may be required as part of future development per MGO Section 16.03.

Fire Department (Contact Matt Hamilton, (608) 266-4457)

This agency has reviewed this request and recommended no conditions of approval.

Parks Division (Contact Adam Kaniewski, akaniewski@cityofmadison.com)

This agency has reviewed this request and recommended no conditions of approval.

Metro Transit (Contact Tim Sobota, (608) 261-4289)

This agency has reviewed this request and recommended no conditions of approval.

Water Utility (Contact Jeff Belshaw, (608) 261-9835)

9. This property is currently outside the Madison Water Utility service area. Note that future annexation to the City may require connection to the City water system, if/when water service becomes available per MGO Section 13.07.

Office of Real Estate Services (Contact Melissa Hermann, mhermann@cityofmadison.com)

10. Prior to approval sign-off by the Office of Real Estate Services (“ORES”), the Owner’s Certificate(s) on the CSM shall be executed by all parties of interest having the legal authority to do so, pursuant to Wis. Stats. 236.21(2)(a). Said parties shall provide documentation of legal signing authority to the notary or authentication attorney at the time of execution. The title of each certificate shall be consistent with the ownership interest(s) reported in the most recent title report.

11. Prior to CSM approval sign-off, an executed and notarized or authenticated certificate of consent for all mortgagees/vendors shall be included following the Owner’s Certificate(s).

12. If a mortgage or other financial instrument is reported in record title, but has been satisfied or no longer encumbers the lands or ownership within the CSM boundary, a copy of a recorded satisfaction or release document for said instrument shall be provided prior to CSM approval sign-off.

13. Pursuant to MGO Section 16.23, the owner shall furnish an updated title report via email to Melissa Hermann (mhermann@cityofmadison.com), as well as the survey firm preparing the proposed CSM. The report shall search the period subsequent to the date of the initial title report submitted with the CSM application and include all associated documents that have been recorded since the initial title report. A title commitment may be provided, but will be considered only as supplementary information to the title report update. The surveyor shall update the CSM with the most recent information reported in the title update. ORES reserves the right to impose additional conditions of approval in the event the title update contains changes that warrant revisions to the CSM.
14. The owner shall email the document number of the recorded CSM to ORES via email when the recording information is available
15. For properties not connected to municipal utility services, consider whether or not well abandonment ref. NR-141 needs to be addressed.