

# **MCKINNEY AIRPORT DEVELOPMENT CORPORATION SITE PLAN / LAND LEASE AND OPERATING AGREEMENT APPROVAL PROCESS**

**February 6, 2007**  
(Updated to MADC February 2008)

This document is required by City Ordinance in Chapter 30, Sec. 30-144 and shall serve as a guide to provide a potential applicant with a step-by-step site plan and land lease/operating agreement approval process conducted by the McKinney Airport Development Corporation (MADC) Staff and City Development Services Division Staff for construction projects at Collin County Regional Airport. The attached diagram illustrates the process.

## **STEP 1: MADC Board Review**

- a. **Meeting with the Airport Staff.** During this meeting, a potential Applicant will be asked to discuss the details of the proposed development and operational plans on City (airport) property. The potential Applicant and the Airport Staff will discuss the site development and land lease processes and also may discuss lease terms, the location of possible development sites, City Code requirements, MADC Board application and preliminary concept plans, etc. The potential Applicant will also receive an *Airport Development Packet* containing general information, application forms, guidelines and samples.
- b. **Submittal of Application (attached).** Once a complete application and preliminary concept (or site layout) plan is received and appropriate fees are paid, reviewed and determined to be complete by the Airport Staff, the application and preliminary concept plan will be presented to the MADC Board for its review. With approval of the City Council, an application and subsequent due diligence may be outsourced to a third party for Fixed Base Operations or any aeronautical development requiring more than five (5) acres of airport land or exceeding \$10 million in value.
- c. **MADC Board Presentation.** The Applicant will be required to make a project presentation to the MADC Board during a public meeting. The purpose of the presentation shall be to address the highlights of the Application and the preliminary concept plan and respond to Board member questions and comments. The Applicant should design the presentation to include a professional PowerPoint or easel presentation that provides as much information as possible to the MADC Board. Building elevation drawings may be presented in addition to preliminary site plans. An overview of the Applicant's business plan is appropriate. The goals of the presentation are: 1) to educate the MADC Board on the nature of the Applicant's intended business and development; 2) to determine the suitability of the Applicant and the proposal as an appropriate user at the Airport; and 3) to determine if the project and the aeronautical activity are in general conformity to City ordinances and the Minimum Standards pertaining to the project.

After hearing the Applicant's presentation, the MADC Board shall:

- 1) Authorize the Application and the project to proceed to the City Site Plan Review process and the Land Lease negotiation phase and tentatively allocate the on-airport site to the applicant pending the signing of a land lease; **or**
- 2) Ask for additional data and information, which could require subsequent meetings and presentations **or**
- 3) Deny the application. If an application is denied by the MADC Board, the applicant may make an appeal to the City Council. If Council approves the application, the applicant shall continue the process with Step 2, below. If Council disapproves the project, the application review process ends and the project is denied.

In any hearing where there are multiple Applications which contain potential site conflicts, overlapping or conflicting site designs, or any other impediment to the approval process of any of multiple Applications, the MADC Board shall resolve such issues through the denial/termination of all Applications that affect any approved Application.

Once the MADC Board authorizes the applicant's project to proceed by tentatively allocating a development site on airport property (normally after the applicant's presentation to the Board), the applicant will be required to:

- 1) Complete the Site Plan Approval Process within 120 consecutive calendar days of the MADC Board's site tentative allocation (Planning and Airport Staffs). If this goal is not achieved, applicant shall present a progress report to the MADC Board at its next regular meeting and every regular meeting until the Site Plan is approved. The MADC Board shall evaluate the applicant's progress and determine whether the site will continue to be tentatively allocated to the applicant; and,
- 2) Complete negotiation of a Land Lease and Operating Agreement with the City within 90 consecutive calendar days of the MADC Board's tentative site allocation and execution of the same within seven (7) days after Site Plan approval (Airport Staff and City Attorney). Because the Land Lease and Operating Agreement requires an approved site plan, the review processes should parallel one another. If these goals are not achieved, applicant shall present a progress report to the MADC Board at its next regular meeting and every regular meeting until a Lease and Operating Agreement is executed. The MADC Board shall evaluate the applicant's progress and determine whether the site will continue to be tentatively allocated to the applicant.
- 3) It shall be understood that the act of tentatively allocating an airport site for development is a good faith gesture on the part of the MADC Board and shall in no way be construed as a legally binding commitment. In return, the MADC

Board will expect the applicant's good faith effort to proceed with the proposed project in accordance with the City's Code of Ordinances, this Process and the applicant's written application.

- d. **Notice to Planning Director.** Within five (5) business days after the MADC Board Presentation, the Airport Staff will notify the City's Planning Director that the MADC Board has determined that the Applicant's project is authorized to proceed and is conditionally suitable as meeting the goals and objectives for development at the Airport.

## **STEP 2: Site Plan Review Process**

(Application fee required.)

### a. **Preparing the Site Plan for Submittal (list of required documents)**

- 1) Letter from the Airport Staff (STEP 1 [e]) indicating that the project has been approved by the MADC Board to proceed through the Site Plan approval process. (No site plan will proceed without this written authorization.)
- 2) Letter of Intent (sample enclosed).
- 3) Planning Submittal Application filled out completely and signed by both the applicant and owner (blank copy enclosed)
- 4) Twenty-Five each (25) blue line drawings of the site plan (24" x 36" folded) and the landscape plan, including irrigation plan and 1 drawing of each (11" x 17").

Note: All plantings must be coordinated through the Airport staff and the City Arborist for compatibility with the *Airport Wildlife Management Program*. All landscaping requirements of the Zoning Ordinance must still be met.

- 5) One each (1) blue line drawing of the lighting plan including a letter of compliance by a qualified lighting expert (24" x 36" folded) and 1 Drawing (11" x 17"). See Section 41-206 of the Code of Ordinance (excerpt enclosed) for lighting and glare regulations.

Note: All lighting plans must be coordinated through the Airport's Engineer of Record. Contact the Airport staff for information and assistance.

- 6) Tree survey/plan and application, including tree permit application.

- b. **Site Plan Submittal and Review.** Plans are typically submitted to the Planning Department each Tuesday, four (4) weeks prior to a Planning and Zoning Commission Meeting (see enclosed meeting schedule). During these four weeks, the Application will be reviewed during a Development Review Committee (DRC) meeting with City departments to include Planning, Airport, Engineering, Fire, Parks, the Arborist and Sanitation Departments. A planner assigned to the project will subsequently provide the applicant with written comments regarding the proposed (initial) site plan from the DRC meeting.

Note: The applicant must pay special attention to requirements for hangar fire suppression requirements, storm water best management practices, oil pollution prevention requirements, and exterior lighting and landscaping requirements.

- c. **Applicant Re-submits Site Plan.** Applicant resubmits a Final Draft Site Plan to the Planning Department that complies with the written comments from DRC in order to be placed on a Planning and Zoning Commission agenda.
- d. **FAA Form 7460-1, *Notice of Proposed Construction or Alteration*.** Submittal of this form is required any time construction or alteration on airport property is proposed. This includes structures on the airport property to be built or outwardly altered. The process ensures that the project does not affect airport and airspace operational safety and also serves to make changes to the Airport Layout Plan, which must be kept updated at all times in accordance with federal grant assurances.

**It is recommended that the applicant submit an FAA form 7460-1 to the Airport Director after responding to the Development Review Committee's final comments at least two months prior to actual construction,** installation, or alteration of a structure; however, because the form requires the exact citing information of the proposed structure (coordinate plotting on a map or site plan sketch), timing of the local approval process may require a later submittal. A blank copy of the form may be downloaded from the website address, below.

This form will be reviewed by the Airport Staff for completeness and forwarded to the TxDOT Division of Aviation or the FAA for approval.

Find a FAA Form 7460-1, *Notice of Proposed Construction or Alteration* at <http://www.dot.state.tx.us/forms/txdotforms.htm#Aviation>

- e. **MADC Board Final Review.** If requested by the airport Director or the MADC Board Chairman, a Final Draft site plan and Land Lease and Operating Agreement may receive a final review by the MADC Board for formulation of an appropriate recommendation to the Planning & Zoning Commission (Site Plan) and City Council (Lease).
- f. **Notification of Public Hearing.** In accordance with the procedures provided by state law and if required by the zoning ordinance, the City shall give notice of a public hearing to all property owners (taken from tax records) within 200 feet of the subject property, 12 days prior to the Planning & Zoning Commission meeting and City Council Meeting.
- g. **Planning and Zoning Commission Meeting.** The Planning Department shall prepare a written recommendation to the Planning & Zoning Commission, which includes any recommendations of the MADC Board regarding the proposed site plan. A copy of this recommendation will be made available to the Applicant on the Monday prior to a Planning & Zoning Commission meeting.

### **STEP 3: Final Approval -- City Council Meeting.**

Based on the recommendations of the Planning & Zoning Commission, the Planning Department shall prepare a written recommendation to the City Council regarding the proposed site plan. The written recommendation shall include the MADC Board's recommendation concerning the site plan. Normally, a copy of this recommendation will be made available to the Applicant on the Friday prior to the Council meeting.

Based on the recommendations of the MADC Board, a Land Lease and Operating Agreement will be presented to Council during the same or a subsequent meeting. (See enclosed City Council meeting schedule).

- a. **Post-City Council Meeting.** If the site plan is approved by the City Council, the Applicant shall receive an *approval letter* within two weeks of the date of the City Council's action. Any Council-required revisions to the site plan will need to be submitted to the City Planning Department for final review prior to review of any building permit plans.

When the Land Lease and Operating Agreement is approved by the City Council, the Applicant and City Manager will execute the Agreement at a pre-scheduled time following the meeting. The Agreement must have all enclosures attached before execution, which would include a final approved site plan, site survey, etc.

### **STEP 4: Building Permit Application and Review.**

After the FAA Form 7460-1 is approved by the FAA and the Site Plan has been approved by City Council, the Applicant may submit an application for a building permit to the City Project Expeditor (972) 547-7470 and the Inspections/Permits Department for review. This application can be acquired from the City Permits Department, 221 N. Tennessee Street, McKinney (across from McKinney City Hall). The applicant is responsible for meeting all conditions for approval.

Note: The building permit may be held until receipt of an approved FAA Form 7460-1, *Notice of Proposed Construction or Alteration*.

### **STEP 5: Safety & Security Meeting.**

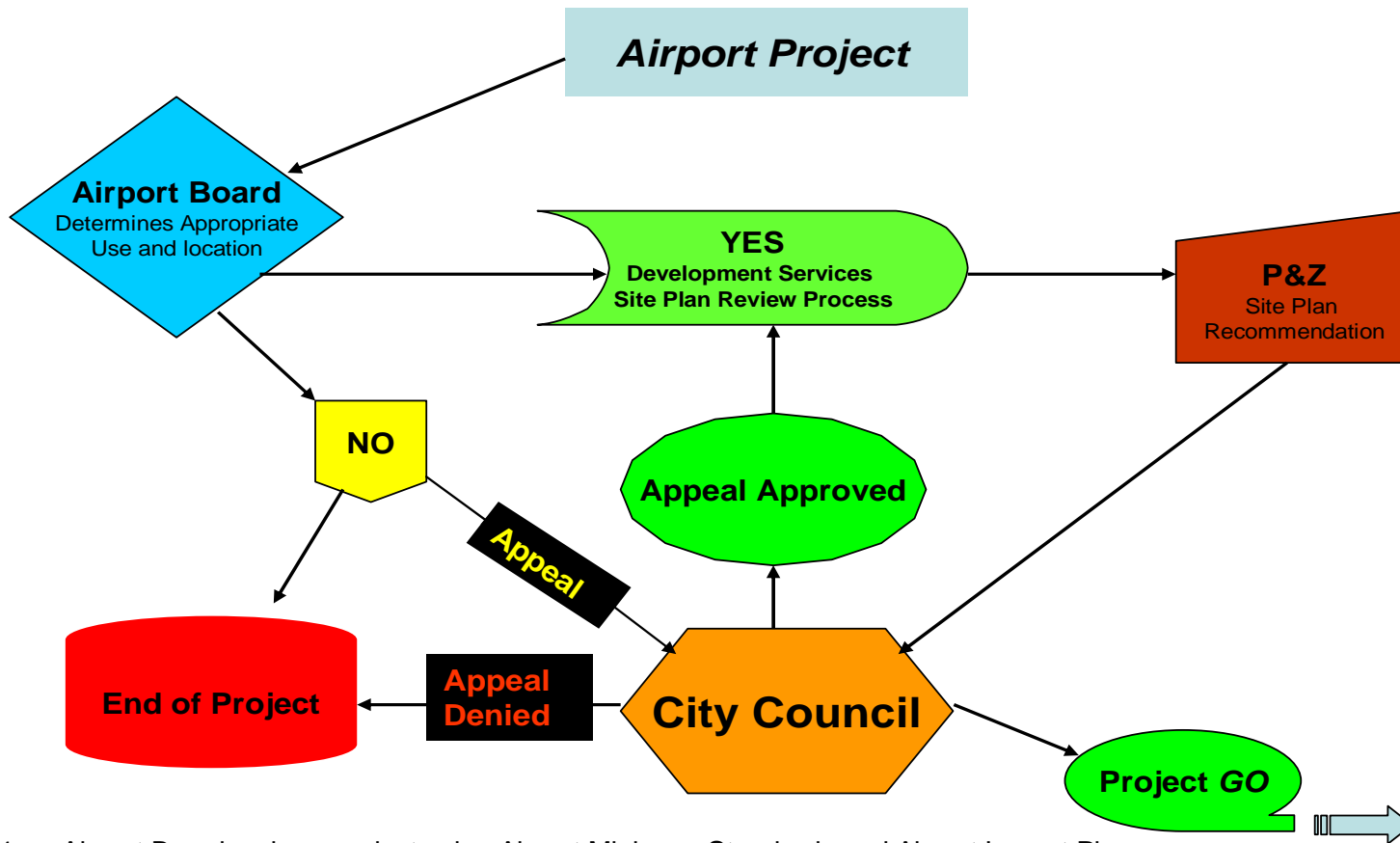
Before construction can begin, the Applicant shall meet with the Airport Staff to review the applicant's safety and security plans, which are part of the project plan set, to highlight significant issues and last minute changes.

#### **Addresses and Phone Numbers:**

Airport Director or Airport Staff  
Collin County Regional Airport  
1500 E. Industrial Blvd., Suite 118  
McKinney, TX 75069  
972-562-4214

City of McKinney  
Planning Department or Permits Department  
221 N. Tennessee St.  
McKinney, TX 75069  
972-547-7400

# **Airport /City Site Plan Review & Approval Process**



1. Airport Board reviews project using Airport Minimum Standards and Airport Layout Plan with recommendation to Council
2. P&Z reviews using building Code requirements with recommendation to Council..
3. City Council approves both.