



T E X A S

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PLANNING AND ZONING DIVISION

FILE NUMBER: Z0925-0417
REQUEST FOR: Conditional Use Permit
CASE MANAGER: Garrett Langford, Assistant Director

PUBLIC HEARINGS

Planning and Zoning Commission: Monday, October 27, 2025
City Council: Monday, November 17, 2025

GENERAL INFORMATION

Applicant: Wing Aviation LLC
Requested Action: Rezone from "C," Commercial within the Town East Restaurant and Retail Area (TERRA) Overlay to "C," Commercial within the TERRA Overlay with Conditional Use Permit to allow a Drone Delivery Service (SIC 4789a).
Location: 1800 N. Town East Blvd (Future address 9005 Town East Mall.)

PLANNING AND ZONING ACTION

- Decision:** On October 27, 2025, the Planning and Zoning Commission recommended approval of the request by a vote of 7-0 with the following stipulations.
1. The CUP is approved solely for Wing Aviation, LLC, and the CUP is not transferable or assignable to a different owner or business. A different business applicant desiring to continue this use must submit a new application requesting to continue the CUP and any such application shall require the procedures outlined in the MZO for initial approval of a CUP.
 2. The CUP is granted for a period of two years from the date of the issuance of a Certificate of Occupancy, after which it shall expire and terminate.
 3. The drone staging area shall be fully screened by a minimum eight-foot metal fence with a durable screening material approved by the Director of Planning and Development Services.
 4. Any inoperative or unused equipment shall be removed from the site within thirty (30) days of discontinuance. All equipment areas shall remain in good repair, and the site must be maintained free of debris.
 5. Only battery-operated generators or equivalent zero-emission systems shall be permitted.

SITE BACKGROUND

Platting:	Town East Mall Phase 2, Block A, Lot 5
Size:	5.93 Acres
Zoning:	C – Commercial within the TERRA Overlay
Future Land Use:	Town East Special Planning Area
Zoning History:	1954: Annexed and zoned Residential 1966: Rezoned to Commercial 1996: Rezoned to be included in the TERRA Overlay District

Surrounding Zoning and Land Uses (see attachment 3):

	<u>ZONING</u>	<u>EXISTING LAND USE</u>
NORTH:	Commercial within the TERRA Overlay	Parking lot
SOUTH:	R-3 Single Family Residential within the TERRA Overlay	High Voltage Transmission Lines and Heritage Trail
EAST:	Commercial within the TERRA Overlay	High Voltage Transmission Lines and Heritage Trail
WEST:	Commercial within the TERRA Overlay	Town East Mall

CASE SUMMARY

[Wing Aviation, LLC.](#), requests approval of a Conditional Use Permit (CUP) to operate a drone delivery service on property owned by Town East Mall. While drone delivery services are permitted as an accessory use, a CUP is required when they function as the principal use of a property. The proposed site, formerly occupied by the Town East Mall Movie Theater, which has since been demolished, currently has no active use or structure. The property currently consists of a paved parking area with no remaining structures. As a result, the proposed drone delivery operation would constitute the primary use, thereby requiring CUP approval.

The proposal includes a drone delivery “Nest” or staging area on the property. The 3,800-square-foot area would feature three clusters of six charging pads with visual landing markers, a 20-foot metal storage container, one battery-powered generator, and an aircraft cart. According to the applicant, the service would operate in partnership with DoorDash, through which customers order prepackaged items from within the mall. These items would then be transported to the Nest location for delivery by drone.

The Federal Aviation Administration (FAA) regulates all aspects of drone flight operations, flight paths, and noise. The City retains authority over the ground-based site, including fencing, parking, setbacks, and screening. Section 3-513 of the Mesquite Zoning Ordinance (MZO) governs drone delivery services. The MZO allows drone delivery services as an accessory use in the General Retail, Light Commercial, Mixed Use, Commercial, and Industrial zoning districts. As a primary use, drone delivery services are permitted by right in the Industrial district but require a CUP in the General Retail, Light Commercial, and Commercial districts. The MZO establishes the following requirements for drone staging areas.

1. Drone staging areas must be designated on an approved site plan.
2. Drone staging areas shall not be placed within any setback, required landscape area, fire lane, easement, maneuvering aisle, required loading zone, required parking space, or any location that obstructs visibility or interferes with pedestrian or vehicle circulation.
3. Drone staging areas as part of an accessory drone delivery use shall be limited to one thousand (1,000) square feet or ten (10) percent of the lot area, whichever is greater. A drone staging area located within or on the roof of the building containing the primary use is not subject to this limitation.
4. Drone staging areas shall be located a minimum of two hundred (200) feet from a residentially zoned property, any lot used for a residential care facility, nursing home, or public park. The measurement shall be from the edge of the drone staging area to the closest property line.

The initial application showed the proposed staging area within the 200-foot separation requirement from a residentially zoned property and included a request for a modification. However, the applicant provided an updated concept on October 27, 2025, that meets the separation requirements from residentially zoned properties. The staff report has been updated accordingly. The nearest residentially occupied property is One Townecrest Apartments at 1217 Americana, located approximately 225 feet from the proposed staging area. The nearest single-family-occupied property is approximately 675 feet to the south.

MESQUITE COMPREHENSIVE PLAN

The *Mesquite Comprehensive Plan* designates the subject property within the Town East Special Planning Area on the Future Land Use Map (see attachment 4). The vision of the Town East Special Planning Area is to be a thriving regional retail and entertainment area that meets the changing needs and desires of the community. Town East Mall shall continue to serve as an anchor with complementary retail, offices, and hotels in the surrounding area.

The proposal aligns with the Comprehensive Plan's goals of encouraging technology-driven services that enhance market viability and diversify regional retail activity in the Town East area. Because the subject site is within a high-redevelopment area, staff recommends a time-limited CUP to permit flexible reuse in the future.

MESQUITE ZONING ORDINANCE

SECTION 5-510: REVIEW CRITERIA FOR CONDITIONAL USE PERMITS

1. The extent to which the proposed CUP promotes public health, safety, and welfare.

STAFF COMMENTS: The proposed operation would occur in a secure, fenced area with limited staff presence and regulated by FAA flight protocols. The FAA regulates drone flight operations and safety, while the City retains oversight of ground-based

facilities through zoning and building regulations. The proposal is not anticipated to affect public health, safety, or welfare negatively.

2. The consistency of the proposed CUP with the Comprehensive Plan.

STAFF COMMENTS: As an accessory use, drone delivery service could support restaurant and retail businesses within Town East Mall by providing additional services to their customers. Utilizing a property for the sole use as a drone staging area could be problematic if it prevents the property from being fully redeveloped. Stipulations limiting the CUP to a length of time would be appropriate. The service supports existing mall tenants and their delivery potential, contributing to ongoing economic vitality.

3. The consistency of the proposed CUP with any adopted land use policies.

STAFF COMMENTS: The request is consistent with City policies supporting reinvestment and adaptive use of existing commercial properties. No conflicts with adopted land use policies have been identified, provided that the staging area does not prevent the subject property from being fully redeveloped in the future.

4. The extent to which the proposed CUP created nonconformities.

STAFF COMMENTS: Approval of the CUP would not create nonconformities on the subject property.

5. The compatibility with the existing uses and zoning of nearby property, such that the proposed CUP will not be injurious to the use and enjoyment of other property in the immediate area for purposes already permitted, nor substantially diminish property values within the immediate vicinity.

STAFF COMMENTS: The site is surrounded primarily by commercial and retail uses associated with Town East Mall. The nearest residentially occupied property, One Townecrest Apartments, is approximately 225 feet from the proposed staging area. The staging area is approximately 265 feet from a TXU-owned tract zoned R-3 Single Family, which contains high-voltage transmission lines and is not used for residential purposes. The staging area is separated from actual residences by utility easements and transmission infrastructure.

6. The trend of development, if any, in the general area of the property in question.

STAFF COMMENTS: The area surrounding Town East Mall continues to support commercial and service-oriented development. The southeast quadrant of the Town East Mall has not seen any recent development or redevelopment activity. The

proposed use introduces an interim modern service compatible with this transition stage of the Town East area.

7. Whether adequate public facilities are available including, but not limited to, schools, parks, police, and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are reasonably capable of being provided prior to the development of the uses which would be permitted on the subject property if the CUP were adopted.

STAFF COMMENTS: Existing utilities, access roads, and drainage facilities to the site are currently available and adequate for the proposed CUP. No off-site infrastructure improvements are required.

8. The extent to which adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed conditional uses.

STAFF COMMENTS: Existing parking areas from the prior theater use remain sufficient for incidental staff parking and equipment movement.

9. Whether adequate measures have been or will be taken to prevent or control offensive lights, odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance and/or violate the Mesquite City Code, including the MZO.

STAFF COMMENTS: The proposed use is not expected to generate odor, fumes, or dust. FAA regulations preempt local noise standards related to flight operations; site lighting and mechanical noise are minimal and compliant with City Code requirements.

10. Any other legally sufficient standard under Texas law.

STAFF COMMENTS: No comments.

CONCLUSIONS

The proposed CUP would authorize a secure, small-scale drone staging facility on a previously developed portion of the Town East Mall property. The use represents a modern commercial service that could support existing retail operations within the Town East area. If approved, staff recommends considering stipulations to limit the visual impact of the staging area and ensure that site improvements do not preclude future redevelopment of the property in accordance with the vision of the Town East Special Planning Area.

STAFF ASSESSMENT

Based on the information contained in the application and analysis of the facts of record, Planning Staff concludes that approval of the zoning request for a CUP with stipulations to allow

a drone staging area is warranted, as it is consistent with the *Mesquite Comprehensive Plan* and does meet the review criteria in Section 5-509(N) of the Mesquite Zoning Ordinance. The following stipulations are suggested.

1. The CUP is approved solely for Wing Aviation, LLC, and the CUP is not transferable or assignable to a different owner or business. A different business applicant desiring to continue this use must submit a new application requesting to continue the CUP and any such application shall require the procedures outlined in the MZO for initial approval of a CUP.
2. The CUP is granted for a period of two years from the date of the issuance of a Certificate of Occupancy, after which it shall expire and terminate.
3. The drone staging area shall be fully screened by a minimum six-foot solid wood fence or alternative durable material approved by the Director of Planning and Development Services.
4. Any inoperative or unused equipment shall be removed from the site within thirty (30) days of discontinuance. All equipment areas shall remain in good repair, and the site must be maintained free of debris.
5. Only battery-operated generators or equivalent zero-emission systems shall be permitted.

Alternatively, based on the information provided at the public hearing, the P&Z may:

1. Approve the request with additional stipulations.
2. Deny the request.

PUBLIC NOTICE

Staff mailed notices to all property owners within 200 feet of the subject property and courtesy notices within 400 feet. As of November 3, 2025, staff has received no responses or objections from notified property owners.

ATTACHMENTS

1. Aerial Map
2. Public Notification Map
3. Zoning Map
4. Future Land Use Map
5. Site Pictures
6. Application Materials

Aerial Map



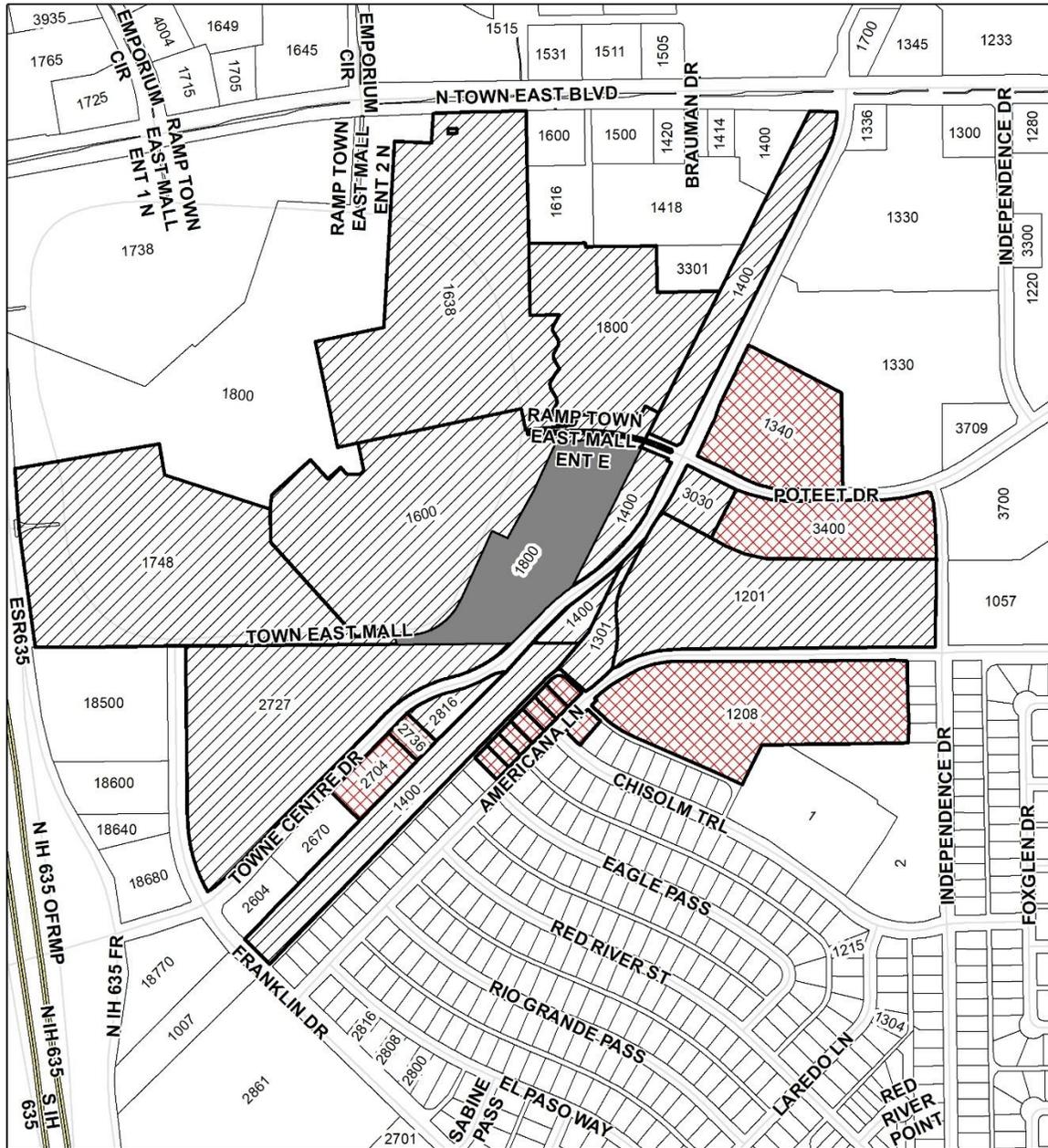
Request: Conditional Use Permit to allow Drone Delivery Service
Applicant: Wing Aviation LLC
Location: 1800 N. Town East Blvd

Legend
 Area of Request



ATTACHMENT 2 – PUBLIC NOTIFICATION MAP

Notification Map



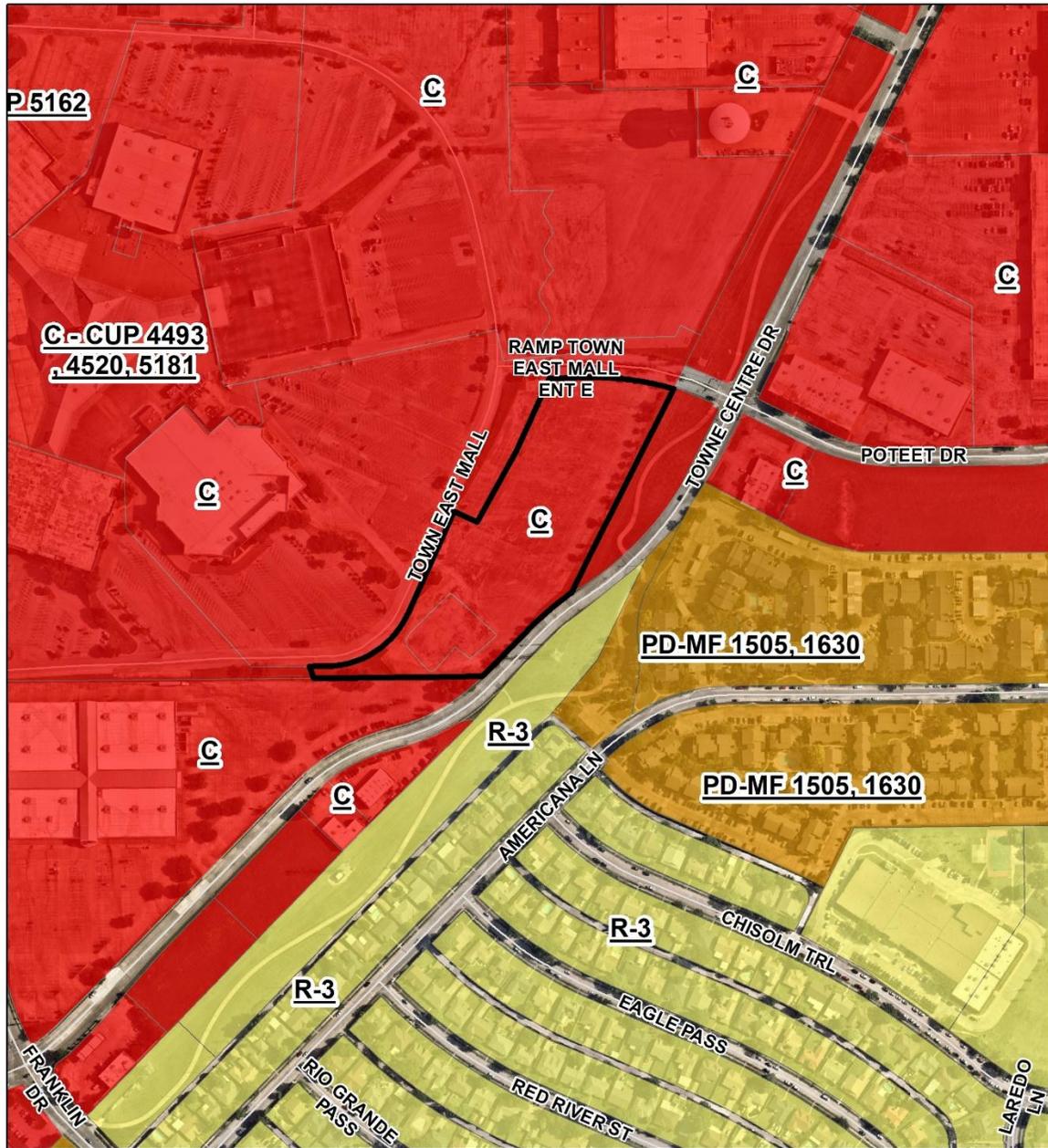
Request: Conditional Use Permit to allow Drone Delivery Service
Applicant: Wing Aviation LLC
Location: 1800 N. Town East Blvd

Legend

- Area of Request
- Statutory Notice Area
- Courtesy Notice Area



Zoning Map



Legend

Area of Request	MULTIFAMILY RESIDENTIAL
COMMERCIAL	SINGLE FAMILY RESIDENTIAL



Future Land Use Map



Legend	
	Area of Request
	Town East Special Planning Area
	Low Density Residential
	High Density Residential
	Public/Semi-Public
	Parks, Open Space, Drainage





Subject property showing parking, facing north.



Subject property from south corner of parking lot, facing northwest.



Facing south along Town Centre Drive



City of Mesquite
Conditional Use Permit
Packet

Please print legibly. This application can also be completed online at [Civic Access](#).

Application Checklist

- Completed Application Statement of Intent and Purpose Zoning Exhibits A & B
- Owner Authorization (page 6) Application Fee*

*Fee will be assessed at time of application submittal (\$1,000/\$1,250).

Property Information

General Location: 1628 N Town East Blvd
Physical Address: 1628 N Town East Blvd City, State: Mesquite, Texas
Zip Code: 75150
Platted: Yes No (If yes, fill in information below)
Subdivision: Town East Mall Phase 2 Block: A Lot: 5

Applicant Information – The person filling out the application

First Name: Zenobia Last Name: Haynes
Phone Number: 650-537-5723 Email Address: zenobiahaynes@wing.com
Company Name: _____

Property Owner(s) Information – The owner of the property listed as physical address

Same as Applicant: Yes No (If no, fill in information below)
First Name: Jack Last Name: Love
Phone Number: 972-591-2096 Email Address: Jack.Love@Brookfieldproperties.com
Mailing Address: 2063 Town East Blvd City, State: Mesquite, TX
(If different from physical address)
Zip Code: 75150

Requested Action

Existing district classification: (Select all that apply)

Residential Zoning Districts

- AG – Agricultural R-1 – Single Family R-1A – Single Family R-2 – Single Family
 R-2A – Single Family R-3 – Single Family D – Duplex Multifamily (less than 25 units)
 Traditional Neighborhood Mixed Residential (TNMR)
 Other: _____

Non-Residential Zoning Districts

- O – Office GR – General Retail LC – Light Commercial MU – Mixed Use
 CB – Central Business SS – Service Station C – Commercial I – Industrial
 CV – Civic
 Other: _____

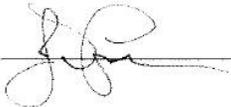
Describe the proposed Conditional Use Permit and the purpose of the request using the space below. You may use a separate sheet if necessary. The following should be included:

1. Description of project uses.
2. If the property is currently developed, list all active businesses on the property with a brief description of each.
3. Address how the requested conditional use permit complies with the Mesquite Comprehensive Plan.

Town East Mall has partnered with DoorDash and Wing to offer a drone delivery service to the citizens of Mesquite, TX. Town East Mall and Wing are requesting the approval of a Conditional Use Permit in order to place a drone delivery "Nest" site at the referenced undeveloped property. A Conditional Use Permit (CUP) is required because there are no other active uses and drone delivery service will therefore be the primary use on the property. While drone operations are allowed by right as an accessory use, the location selected by the mall is outside the ring road and is a separate lot from the Mall building. The requested CUP complies with Mesquite's Comprehensive Plan's vision for the Town East Special Planning area as a thriving regional retail and entertainment area that meets the changing needs and desires of the community. Adding drone delivery service as a use will allow brick and mortar retailers and Town East Mall to evolve and ensure the district continues to meet the needs of the community and adapts to market and development trends.

OWNER AUTHORIZATION

1. I hereby certify that I am the owner of the subject property or the duly authorized agent of the owner of the subject property for the purpose of this application.
2. I hereby designate the person named as the applicant on page 1 of this application, if other than myself, to file this application and to act as the principal contact person with the City of Mesquite.
3. I hereby authorize the City of Mesquite, its agents or employees, to enter the subject property at any reasonable time for the purpose of taking photographs, documenting current use and current conditions of the property; and further, I release the City of Mesquite, its agents or employees from liability for any damages which may be incurred to the subject property in taking of said photographs.
4. I have read and understand the information contained in the City of Mesquite Conditional Use Permit Application.

Property Owner: Town East Mall, LLC Phone Number: 972-591-2096
Address: 2063 Town East Mall
Mesquite, Tx. 75156 Email Address: Jack.Love@Brookfieldproperties.com
Signature: 

Each property owner must complete a separate authorization form

Request meets the approval criteria in [5-310](#) of the Mesquite Zoning Ordinance adopted 1-21-25 as follows:

1. The extent to which the proposed CUP promotes the public health, safety, and welfare and will benefit the City as a whole. The proposed CUP permitting drone delivery service at the Town East Mall promotes public health, safety and welfare by increasing the ability of local retailers to provide reliable delivery to existing and new customers and improving transportation and mobility. Adding drone delivery service as a use will allow brick and mortar retailers and Town East Mall to evolve and ensure the district continues to meet the needs of the community and adapts to market and development trends.

2. The consistency of the proposed CUP with the Comprehensive Plan and any other adopted land use policies. The requested CUP complies with the Mesquite Comprehensive Plan's vision for the Town East Special Planning Area as a thriving regional retail and entertainment area that meets the changing needs and desires of the community.

While drone operations are allowed by right as an accessory use, the location selected by the Mall is outside the ring road and is a separate lot from the Mall building and will therefore be the primary use on this lot. The Mesquite Zoning Ordinance [3-203](#) permits drone staging areas and drone delivery service as a Primary use in this zoning district with approval of a CUP.

MZO [6-102](#) provides that the drone staging area includes both the launch pads and any required safety areas, and may include areas for the outdoor storage of goods, materials, containers, or equipment related to unmanned aircraft systems . The drone staging area will be 127.323' x 29.870' sqft. Included inside the Nest: 3 groupings of 6 chargepads and fiducials; 1 x 20' storage container, 1 battery powered generator and an aircraft cart.

As required in [3-513](#) of the MZO: The Drone staging area is not within any setback, required landscape area, fire lane, easement, maneuvering aisle, required loading zone, required parking space, or any location that obstructs visibility or interferes with pedestrian or vehicle circulation. The Drone staging area is more than two hundred (200) feet from a residentially zoned property, any lot used for a residential care facility, nursing home, or public park.

The drone staging area will be enclosed with a fence consisting of aluminum coated in black vinyl in conformance with MZO [3-513](#)

3. The extent to which the proposed CUP will support and further the City Council's strategic goals. Drone delivery service supports and furthers the City Council's 2025-2026 strategic goals of Improved Transportation and Mobility and creating a Vibrant economy by promoting investment in new and existing businesses, economic development in the Town East Mall Targeted Area, and promoting revitalization of targeted retail and business centers.

4. The extent to which the proposed CUP creates nonconformities. The CUP does not create non conformities. Drone delivery service and drone staging areas are permitted as a primary use in Commercial districts with a CUP.

5. The compatibility with the existing use and zoning of nearby property such that the proposed CUP will not be injurious to the use and enjoyment of other property in the immediate area for purposes already permitted, nor substantially diminish property values within the immediate vicinity. Drone delivery service is compatible with the nearby retail mall use. The drone staging area will be more than 200 ft from a residentially zoned property, any lot used for a residential care facility, nursing home, or public park as required by the Mesquite Zoning Ordinance

6. The trend of development, if any, in the general area of the property in question. The area is primarily commercial and retail and part of the TOWN EAST RETAIL AND RESTAURANT AREA OVERLAY DISTRICT

7. Whether adequate public facilities are available including, but not limited to, schools, parks, police and fire protection, roads, sanitary sewers, storm sewers, and water lines, or are reasonably capable of being provided prior to the development of the uses which would be permitted on the subject property if the CUP were adopted. Adequate public facilities are available and no additional public facilities will be needed if the CUP is adopted.

8. The extent to which adequate measures have been or will be taken to provide sufficient off-street parking and loading spaces to serve the proposed conditional uses. There are more than sufficient off- street parking spaces available on the site to serve the minimal parking needs of the drone delivery service and drone staging area.

9. Whether adequate measures have been or will be taken to prevent or control offensive lights, odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance and/or violate the Mesquite City Code, including the MZO. Measures have been taken to prevent and control offensive lights, odor, fumes, dust, noise, and vibration so that none of these will constitute a nuisance. Each drone will be placed onto the aircraft cart to be wheeled into the container for overnight storage during non-operating hours. The drone staging area will be more than 200 ft from a residentially zoned property, any lot used for a residential care facility, nursing home, or public park as required by the Mesquite Zoning Ordinance.



Response Letter

To: Garrett Langford
From: DoorDash in partnership with Wing
Date: 10/2/2025
Permit Number: Z0925-0417
Project Name: Conditional Use Permit - Town East Mall

The following updates were made:

RL: Suggest using another type of building instead of a storage container. Storage containers are not considered as buildings.

Response: The container is our standard configuration and solely used as storage for the aircraft overnight during non-operating hours. These are painted grade B containers, and not intended for office or building use.

RL: Provide an explanation of how merchandise from the mall will be transported to the site.

Response: The DoorDash courier will pick up the pre packaged parcel from the restaurant within the mall and walk it to the Nest location outside to attach onto the drone.

RL: Provide information on how the drones will navigate around the high-voltage transmission lines located on the adjacent property.

Response: Wing has completed a LIDAR survey of the area at and around the Town East Mall which includes the adjacent property containing the high-voltage transmission lines. Wing uses an obstacle height of 147 FT (45m) for these high-voltage transmission lines which provides a clearance buffer of 45 FT above the transmission lines whose height is 104 FT (32m). The Wing flight planner automatically plans the route to be an additional 65 FT (20m) above any obstacle height. Therefore every flight will be a minimum of 110 FT (45 FT + 65 FT) above the powerlines. Additionally, in the event of a precautionary landing the Wing aircraft will decelerate to hover and descend vertically. The Wing aircraft is able to detect power lines beneath the aircraft and move to avoid them.



RL: Is this a temporary situation? If so, how long?

Response: DoorDash has signed a 2 year lease with Town East Mall and Wing

RL: Provide explanation on why a more discrete location on the mall property is not being pursued.

Response: We are given usable areas by the mall partners and we pick our site locations based on where the partner has bound us to. Wing locations within the bounds provided are based on internal system requirements.

RL: Provide pictures of drone nests or staging areas from other locations to show an example of what the setup would look like on the ground.

Response:





