

City of Prescott

Board of Adjustment



December 18, 2025 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 1st Floor
Prescott, AZ 86301

AGENDA

The following Agenda will be considered by the **Board of Adjustment** at their meeting to be held **December 18, 2025**. Notice of this meeting is given pursuant to Arizona Revised Statutes, Section 38-431.02.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **PLEDGE OF ALLEGIANCE**
4. **DISCUSSION & ACTION ITEMS**
 - A. Approval of the November 20, 2025 Board of Adjustment Meeting Minutes.
Recommended Action: MOVE to approve minutes as presented
 - B. **CUP25-003**: Request for a Conditional Use Permit for a Tattoo Business. Land Development Code (LDC) Sections 4.8 and 9.3. Zoning: Business Regional (BR). Location: 803 E Sheldon Street, APN 114-04-021. Property Owner: Waunch Nathan & Jessica & Waunch Matthew & Haley JT. Applicant/Agent: Deadcorative Décor & Tattoo LLC.
Recommended Action: MOVE to approve or deny CUP25-003
5. **UPDATES**
6. **ADJOURNMENT**

Upon a public majority vote of a quorum of the Board, the Board may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the following purposes:

- (1) Discussion or consideration of personnel matters (A.R.S. §38-431.03(A)(1));
- (2) Discussion or consideration of records exempt by law (A.R.S. §38-431.03(A)(2));
- (3) Discussion or consultation for legal advice with the city's attorneys (A.R.S. §38-431.03(A)(3));
- (4) Discussion or consultation with the city's attorneys regarding the city's position regarding contracts that are the subject of negotiations, in pending or contemplated litigation, or in settlement discussions conducted in order to avoid litigation (A.R.S. § 38-431.03(A)(4));
- (5) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations with employee organizations (A.R.S. §38-431.03(A)(5));

- (6) Discussion, consultation or consideration for negotiations by the city or its designated representatives with members of a tribal council, or its designated representatives, of an Indian reservation located within or adjacent to the city (A.R.S. §38-431.03(A)(6));
- (7) Discussion or consultation with designated representatives of the city to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property (A.R.S. §38-431.03(A)(7)).

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at Prescott City Hall on 12/12/25 at 9:00 a.m. in accordance with the statement filed by the Prescott City Council with the City Clerk.

Sarah M. Thornhill

Sarah M. Thornhill, City Clerk



TO: MAYOR AND CITY COUNCIL
AGENDA: December 18 Board of Adjustments
DATE: December 18, 2025
DEPT: Community Development
ITEM #: 4.A
SUBJECT: Approval of the November 20, 2025 Board of Adjustment Meeting Minutes.

ITEM SUMMARY

This item is for approval of the November 20, 2025 Board of Adjustments meeting minutes. Staff recommends approval of the minutes as presented.

BACKGROUND

None.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve minutes as presented

ATTACHMENTS

1. November 20, 2025 BOA Minutes



City of Prescott Board of Adjustment

November 20th, 2025 | 9:00 AM
201 N. Montezuma Street
Council Chambers, 1st Floor
Prescott, AZ 86301

MINUTES

1. CALL TO ORDER

Chair Teeters called the meeting to order at 9:00 a.m.

2. ROLL CALL

Tony Teeters, Chair
Tom Davis, Vice Chair
Miriam Haubrich, Member (Excused)
Mark Hokeness, Member
Tom Hutchison, Member
Rick Kimery, Member

3. PLEDGE OF ALLEGIANCE

4. DISCUSSION & ACTION ITEMS

A. Approval of the September 18th, 2025 Board of Adjustment Meeting Minutes.

MOTION BY MEMBER HOKENESS TO APPROVE THE SEPTEMBER 18, 2025 MEETING MINUTES AS SUBMITTED; SECONDED BY MEMBER KIMERY: PASSED (4-0-1) MEMBER DAVIS ABSTAINING.

B. **CUP25-002:** Conditional Use Permit at 2980 Willow Creek Road.

Tammy DeWitt Community Planner gave a presentation for a conditional use permit to allow for an addition for classrooms grades K-8 for the Seventh Day Adventist School. She shared imagery maps, the proposed site plan, and current images of the property. Staff reviewed the proposal against all conditional use permit review criteria and there were no issues. Staff recommended to approve or deny CUP25-002 with or without conditions.

Member Davis asked what is happening between the proposed building and the existing floodway.

Ms. DeWitt stated there is no impact on the floodway.

Member Hutchison asked if the playground will be removed.

Tony Jasper Seventh Day Adventist Church stated the church has attempted to minimize the impact of the buildings on the playground. He also stated the church is in negotiations with a neighbor to purchase property to increase playground space.

MOTION BY VICE CHAIR DAVIS TO APPROVE CUP25-002 WITH EXISTING CONDITIONS; SECONDED BY MEMBER KIMERY: PASSED (5-0).

4. STAFF UPDATES

No Staff Updates

5. ADJOURNMENT

Chair Teeters adjourned the meeting at 9:11 a.m.

Anthony Teeters, Chair

Jacob Lund, Board Secretary



TO: MAYOR AND CITY COUNCIL
AGENDA: December 18 Board of Adjustments
DATE: December 18, 2025
DEPT: Community Development
ITEM #: 4.B
SUBJECT: **CUP25-003:** Request for a Conditional Use Permit for a Tattoo Business. Land Development Code (LDC) Sections 4.8 and 9.3. Zoning: Business Regional (BR). Location: 803 E Sheldon Street, APN 114-04-021. Property Owner: Waunch Nathan & Jessica & Waunch Matthew & Haley JT. Applicant/Agent: Deadcorative Décor & Tattoo LLC.

ITEM SUMMARY

This item is a request seeking a Conditional Use Permit (CUP) for a new tattoo parlor. Per Land Development Code (LDC) Section 2.3/Land Use Table, Tattoo Parlors are allowed in the Business Regional (BR) zoning district by CUP.

In compliance with LDC Section 9.1.2/Common Procedure - Pre-Application Conference, and Section 9.3.3/Conditional Use Permits - Conditional Use Application Process, the applicant completed a meeting with staff prior to submitting the CUP application for the proposed use at this site and has met all other requirements of Section 9.1/Common Procedure.

BACKGROUND

SITE INFORMATION:

The proposed tattoo business is located in a single building on a site with parking in the rear. The applicant does not propose any changes to the existing site or building, other than minor change to the interior space.

PROPOSED USE:

The applicant proposes a tattoo parlor in an existing building. Most of the business is by appointment only with very little foot traffic by walk-ins. In past applications, the Board has focused on hours of operation for tattoo uses and placed limitations where the business operation could impact nearby residential uses.

CONDITIONAL USE REVIEW CRITERIA:

Conditional Uses require special consideration regarding the effect on surrounding properties and the use in relation to the objectives of the ordinance. A conditional use permit may be granted only when the Board of Adjustment finds the proposal meets the general criteria, as detailed in LDC Section 9.3.5/Conditional Use Review Criteria.

Section 9.3.5.A. Effect on Environment

“The location, size, design and operation characteristics of the proposed use shall not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property.”

The property was previously used as a veterinarian office. The building is currently vacant.

Section 9.3.5.B. Compatible with Surrounding Area

“The proposed site plan, circulation plan, and schematic architectural designs shall be harmonious with the character of the surrounding area with respect to landscaping, scale, lot coverage, and the like.”

The proposed tattoo parlor will be within an existing building and no exterior or site changes are proposed. There will also be an art gallery and retail areas within the building.

Section 9.3.5.C. External Impacts Minimized

“The proposed use shall not have negative impacts on existing uses in the area and in the City through the creation of noise, glare, fumes, dust, smoke, vibration, fire hazard, or other injurious or noxious impact. The applicant shall provide adequate mitigation response to these impacts.”

Noise from customers arriving/departing and parking are the only potential impacts on neighbors which are all commercial properties and uses. The main use of the building will be for retail sales and art gallery.

Section 9.3.5.D. Infrastructure Impacts Minimized

“The proposed use shall not have negative impacts on existing uses in the area and in the City through impacts on public infrastructure such as roads, parking facilities and water and sewer systems, and on public services such as police and fire protection and solid waste collection, and the ability of existing infrastructure and services to provide services adequately.”

As the proposed tattoo parlor will be in an existing building, there would be no negative impacts to infrastructure.

Section 9.3.5.E. Consistent with General Plan and Code

“The proposed use will be consistent with the purposes of this Code, the General Plan, Area Plans, and any other statutes, ordinances or policies that may be applicable, and will support rather than interfere with the uses permitted outright in the zone in which it is located. If the use is permitted outright in another zone, there must be substantial reason for locating the use in an area where it is only conditionally allowed.”

The proposed use, with Conditional Use Permit, is in conformance with the purposes of the LDC and General Plan, and all relevant policies and plans. Tattoo parlors are allowed by right in the Industrial Transitional (IT) and Industrial Light (IL) zoning districts. The proposed location for this type of business, however, would be more convenient for clients. With nearby restaurants and shops which clients may frequent during their wait periods, and before and after appointments, this particular location offers other commercial conveniences that are not as common in the industrial zoning districts.

Section 9.3.5.F. Parcel Size

“The proposed use may be required to have additional land area, in excess of the minimum lot area otherwise required by the underlying zoning district, as necessary to ensure adequate mitigation of impacts on surrounding land uses and the affected zoning district.”

This proposed use will not have impacts requiring additional land area.

Section 9.3.5.G. Site Plan

“The proposed use shall comply with the procedures and requirements of Sec. 9.8, Site Plan Review.”

The proposed buildings meets the setbacks, located outside FEMA Floodplain, and lot coverage allowances.

Section 9.3.6. Additional Conditions

“The Board of Adjustment may impose additional reasonable conditions to carry out the spirit and intent of this Code and to mitigate adverse effects of the proposed use.”

Staff has no additional conditions to suggest.

Section 9.3.7.C. Expiration/Revocation of Approval

“The Board of Adjustment may revoke a Conditional Use Permit in the event of a subsequent failure by the property owner or person in possession to comply with an ongoing condition of approval. Such revocation shall not occur without written notice to the property owner, at least 20 calendar days prior, advising of the revocation consideration and an opportunity to appear before the Board. Revocation procedures shall be subject to the Public Notice requirements set forth in Sec 9.1.8.A.”

Section 9.3.8. Appeal

“An appeal from any final decision regarding a Conditional Use Permit shall be in accordance with Sec. 9.18, Appeal of Council or Board of Adjustment Decisions.”

Appeals must be filed within 30 days of Board of Adjustment decision.

HISTORIC PRESERVATION:

The site is not located within a Prescott Preservation or National Register district.

STAFF RECOMMENDATION:

Staff recommends approval of the Conditional Use Permit for a tattoo parlor.

NEIGHBORHOOD COMMENTS:

Staff has not received any public comments regarding this Conditional Use Permit request.

FINANCIAL IMPACT

There is no fiscal impact associated with this item.

RECOMMENDED ACTION

MOVE to approve or deny CUP25-003

ATTACHMENTS

1. Narrative and Site Plan
2. CUP25-003 Tattoo Presentation

Conditional Use Permit – 803 Sheldon Street, Prescott AZ 86301

City of Prescott, Arizona

Applicant: Deadcorative Décor & Tattoo, Nathan Delguidice (928-227-7538, n8del77@gmail.com) and Benjamin Tello (619-971-9942, btelloink@gmail.com)

Site Address / APN: 803 Sheldon Street, Prescott AZ 86301

Zoning District: BR (Business Regional)

Request: Conditional Use Permit for tattooing services.

1. Narrative

This narrative is submitted in support of a Conditional Use Permit (CUP) request for the property located at 803 Sheldon Street, Prescott AZ 86301 where the tenant plans to do tattoo and an art gallery at this site within the BR zoning district in the City of Prescott, which requires a conditional use for a tattoo component of the operation. The applicant proposes to establish Deadcorative Decor & Tattoo operating as a creative boutique studio offering a blend of personal services and locally sourced retail. In addition to professional tattoo and piercing services, we provide a curated retail experience featuring art, home décor, and unique handcrafted items produced by local artists and makers. The studio is designed to function as a safe, well-regulated, and community-focused space that supports local artisans while offering residents and visitors an engaging destination for creative expression.

The purpose of this CUP is to allow the proposed use while ensuring compatibility with surrounding land uses, maintaining neighborhood character, and complying with all applicable standards of the Prescott Land Development Code (LDC).

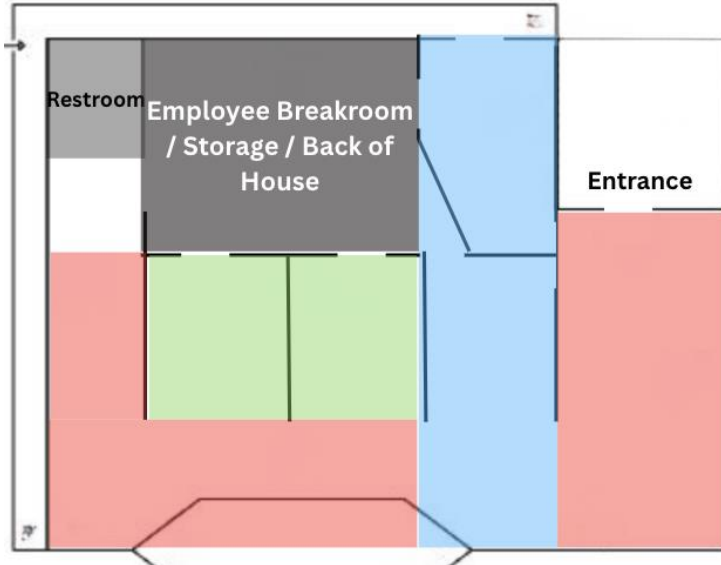
2. Description of the Proposed Use

Business Model Breakdown Components of Building -

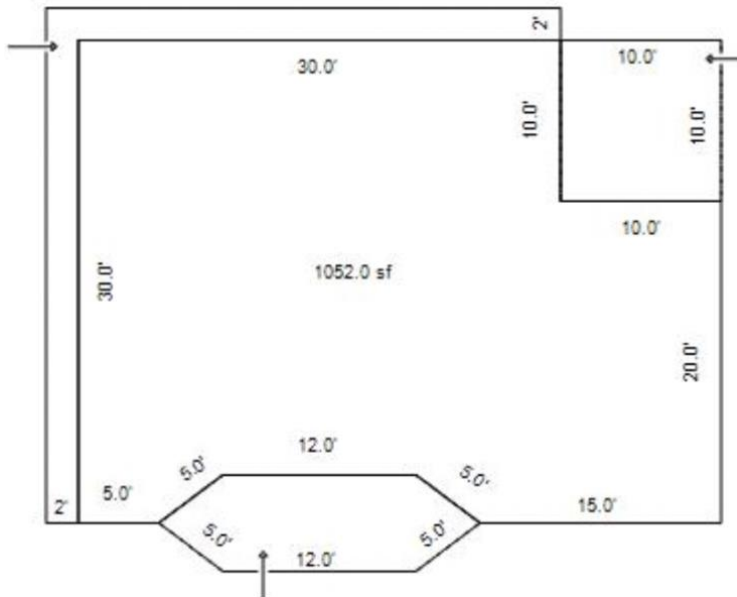
30.00% - Tattoo - Green

35.00% - Art Gallery - Red

35.00% - Mercantile – Blue



Site Plan with Dimension:



Key operational details include:

- Days/Hours of Operation:
 - Sunday through Thursday 10am – 7pm
 - Friday through Saturday 10am – 8pm

- Determined Based on the average tattoo parlors in Prescott, AZ

Tatto Shop in Prescott, AZ	Closing Time
Black & Gold	7.00
Hold Fast Tatto	8.00
The Dark Heart Tatto Shop	10.00
Leap of Faith Tatto and Body Pericing	8.00
Hard Luck Tatto	8.00
Still Visison Tatto	8.00
Blue Heron	7.00
Nsty Ink	9.00
The Lions Den	6.00
Average Closed Hours	8

- Occupancy / Capacity:
 - Unknown Occupancy allowance
 - 2 – 6 Employees/ Artists
- Site Improvements:
 - Signage (Business)
- Building Modifications:
 - Interior Only (painting)
- Traffic Generation:
 - Expect low to medium traffic based on use and location.

The use is designed to be low-impact and consistent with surrounding development patterns.

3. Compatibility with Surrounding Properties

The surrounding area includes a mix of residential and commercial. The proposed use is compatible because:

- It maintains the existing character and scale of the neighborhood.
- It will not introduce excessive noise or light.
- Traffic impacts are minimal

No adverse effects to surrounding properties are anticipated.

4. Compliance with Prescott Land Development Code (LDC)

The proposed use satisfies CUP criteria under the Prescott LDC:

A. Consistency with the General Plan

The Business supports Prescott’s General Plan goals including:

- Efficient use of existing infrastructure
- Support for neighborhood-compatible commercial or residential uses
- Preservation of community character

B. Compatibility

The scale and intensity of the use are compatible with nearby development and do not create land-use conflicts.

C. Public Health, Safety, and Welfare

The Business does not present health or safety risks. Adequate emergency access, parking, and pedestrian paths are provided.

D. Adequate Public Services

All utilities, access roads, and city services are existing and sufficient for the proposed use.

E. Mitigation of Impacts

Any potential impacts—such as noise, lighting, or traffic—are minimized through:

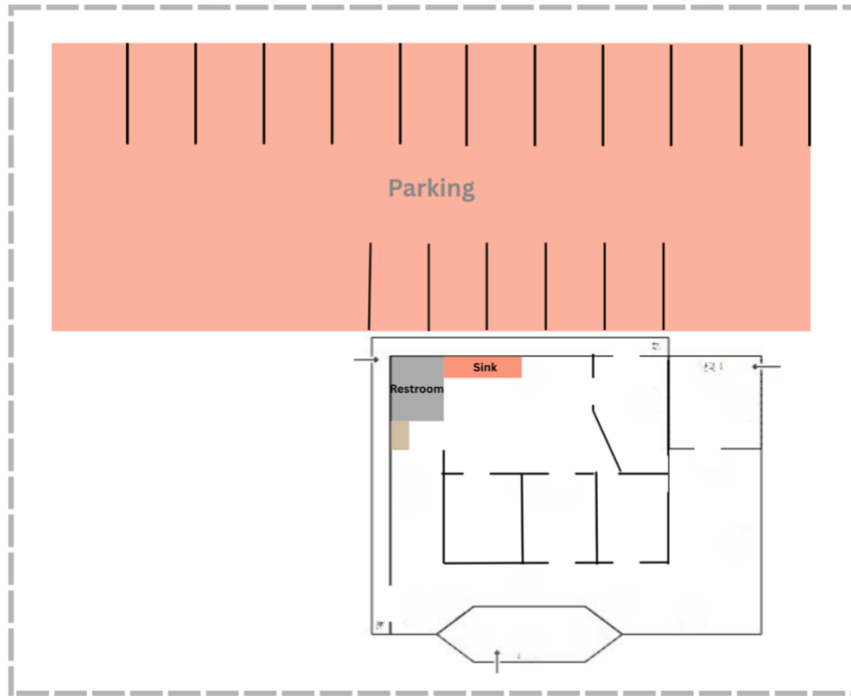
- Down-shielded LED lighting
- On-site parking
- Established hours of operation
- Landscaping to buffer adjacent properties

5. Traffic, Access, and Parking

Vehicular access will be provided via both Sheldon Street and Arizona Avenue. The proposed use is expected to generate low/moderate traffic, well within the capacity of nearby roadways.



On-site parking includes 16 spaces, meeting or exceeding City requirements. No adverse traffic impacts are anticipated.



6. Landscaping, Screening, and Aesthetics

The Business will maintain or enhance existing landscaping. When applicable:

- Existing mature trees and shrubs will be preserved.
- Supplemental plantings consistent with Prescott's landscape standards may be added.
- Trash receptacles, mechanical equipment, and utilities will be screened.

No significant changes to building appearance or neighborhood aesthetics are proposed unless noted.

7. Noise, Lighting, and Environmental Considerations

The Business is designed to produce minimal noise and meet all lighting requirements:

- Outdoor lighting will be fully shielded and compliant with Prescott's standards.
- Noise will remain within normal neighborhood thresholds.
- No significant environmental impacts are expected

8. Public Benefit

The proposed use contributes positively to the Prescott community by:

- Supporting local economic activity
- Enhancing function without compromising character

9. Conclusion

The applicant respectfully requests approval of this Conditional Use Permit. The proposed use is consistent with the City of Prescott's General Plan, compatible with surrounding properties, and aligned with the Land Development Code. All impacts have been appropriately mitigated, and the business will provide meaningful benefits to the neighborhood and broader community.

CUP25-003

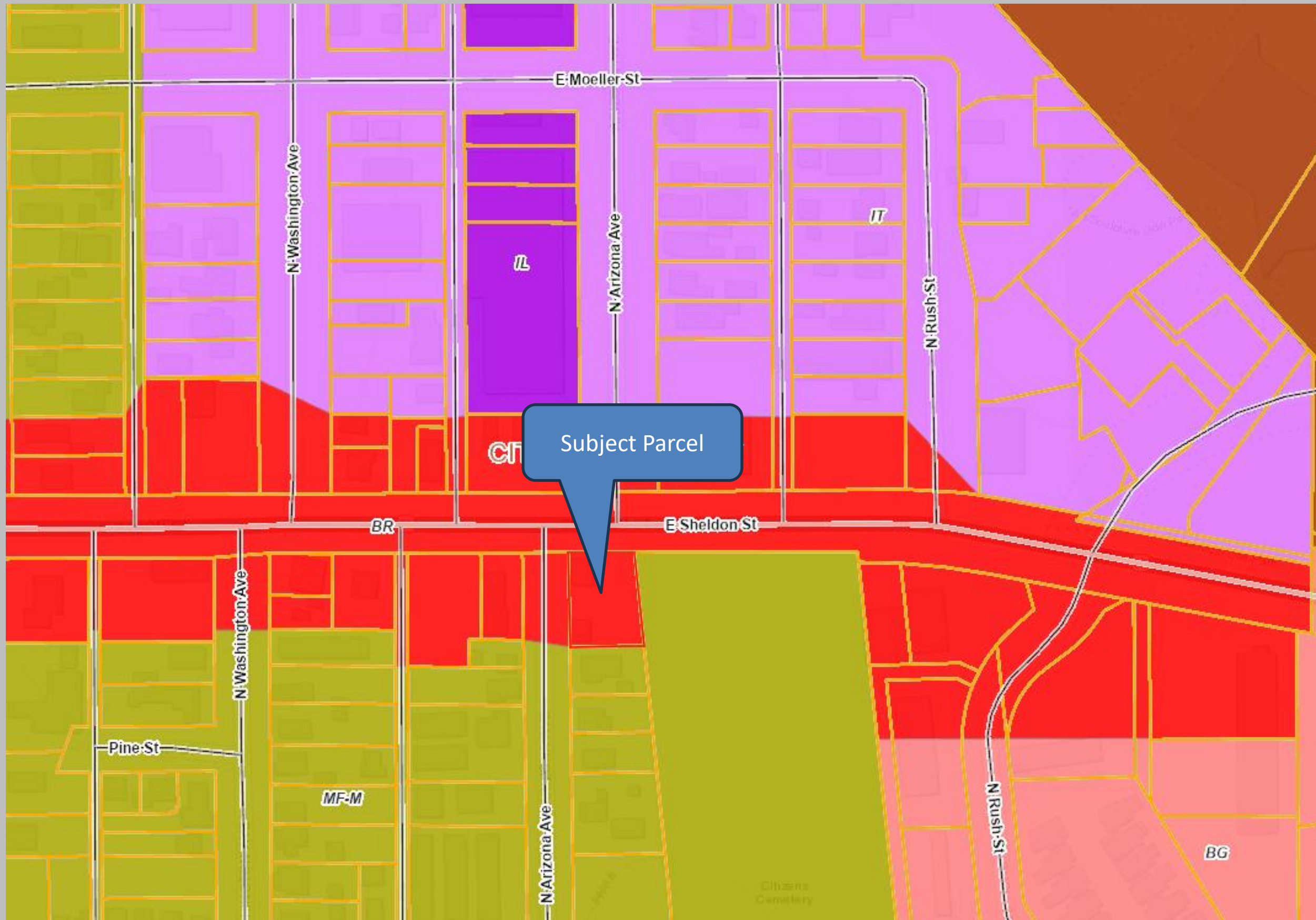
Tattoo Parlor at

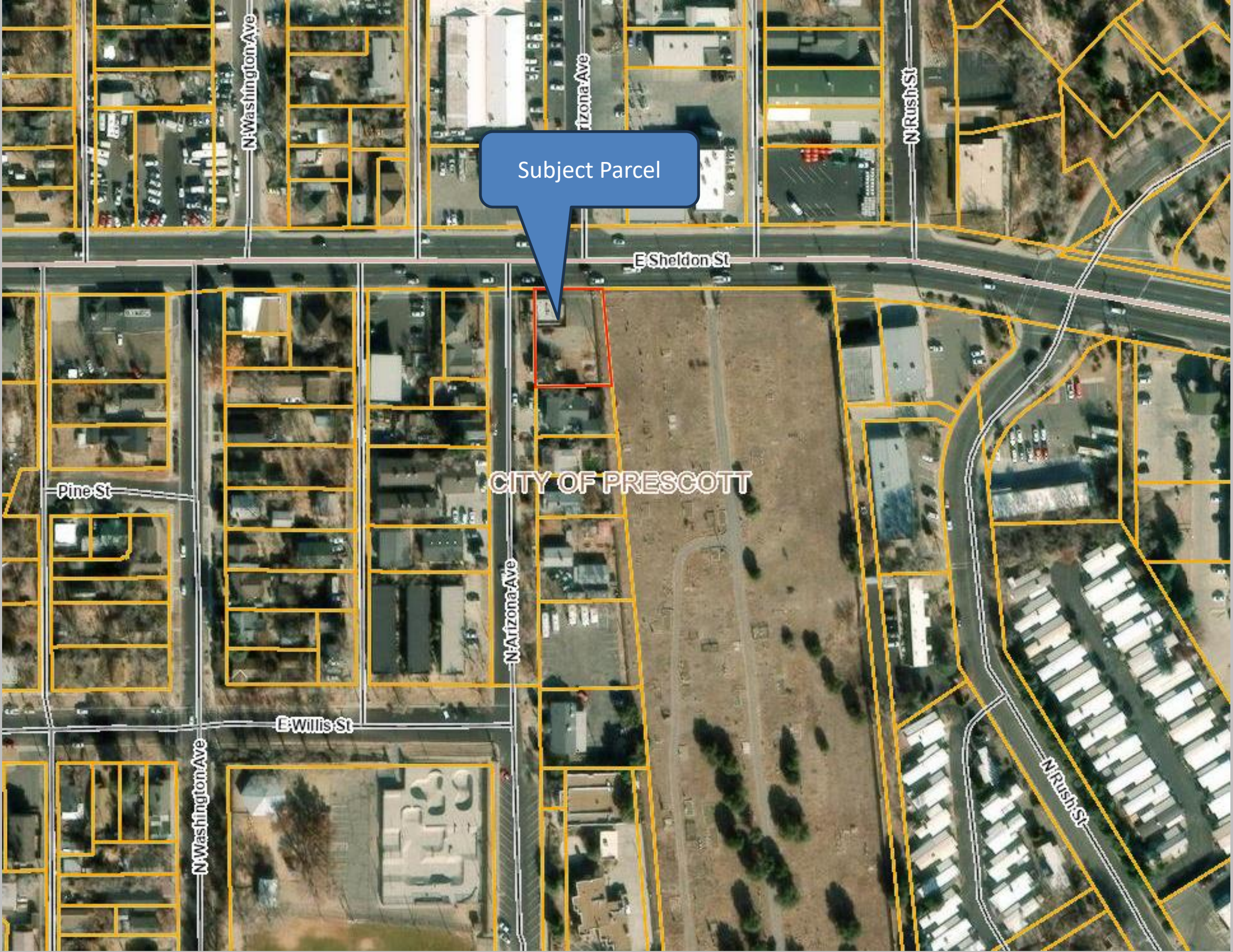
803 E Sheldon St

Board of Adjustment
December 18, 2025

TAMMY DEWITT





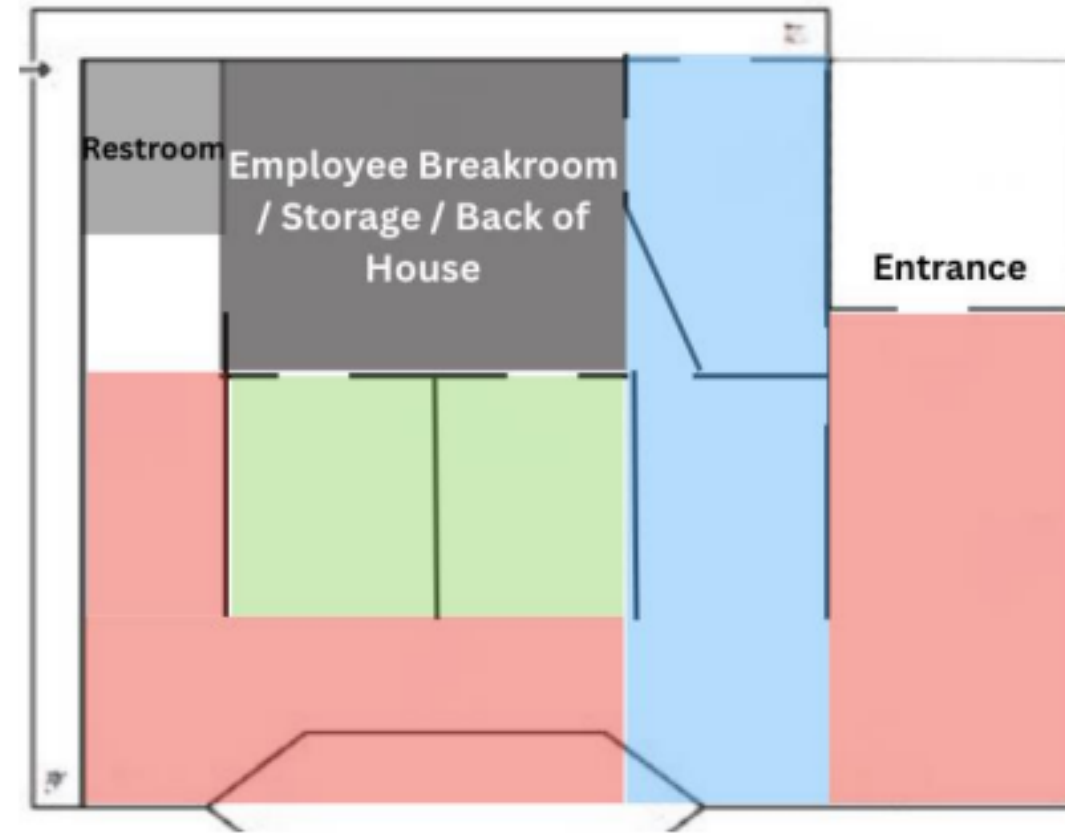


Business Model Breakdown Components of Building -

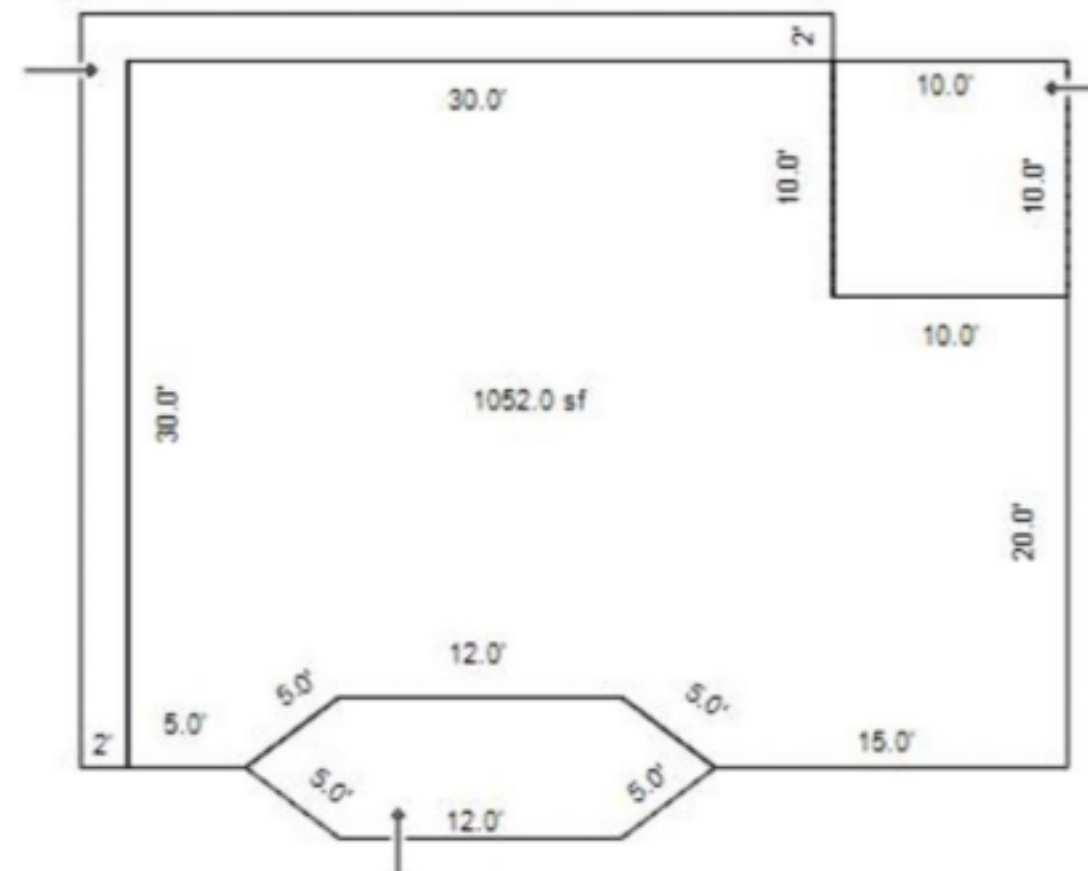
30.00% - Tattoo - Green

35.00% - Art Gallery - Red

35.00% - Mercantile - Blue



Site Plan with Dimension:





Rear and side of building



Rear and side of property off of Sheldon St.



Front of building
along Sheldon St

Conditional Use Permit Review Criteria

- Effect on Environment
- Compatibility with Surrounding Area
- External Impacts Minimized
- Infrastructure Impacts Minimized
- Consistent with General Plan and Code
- Parcel Size
- Site Plan

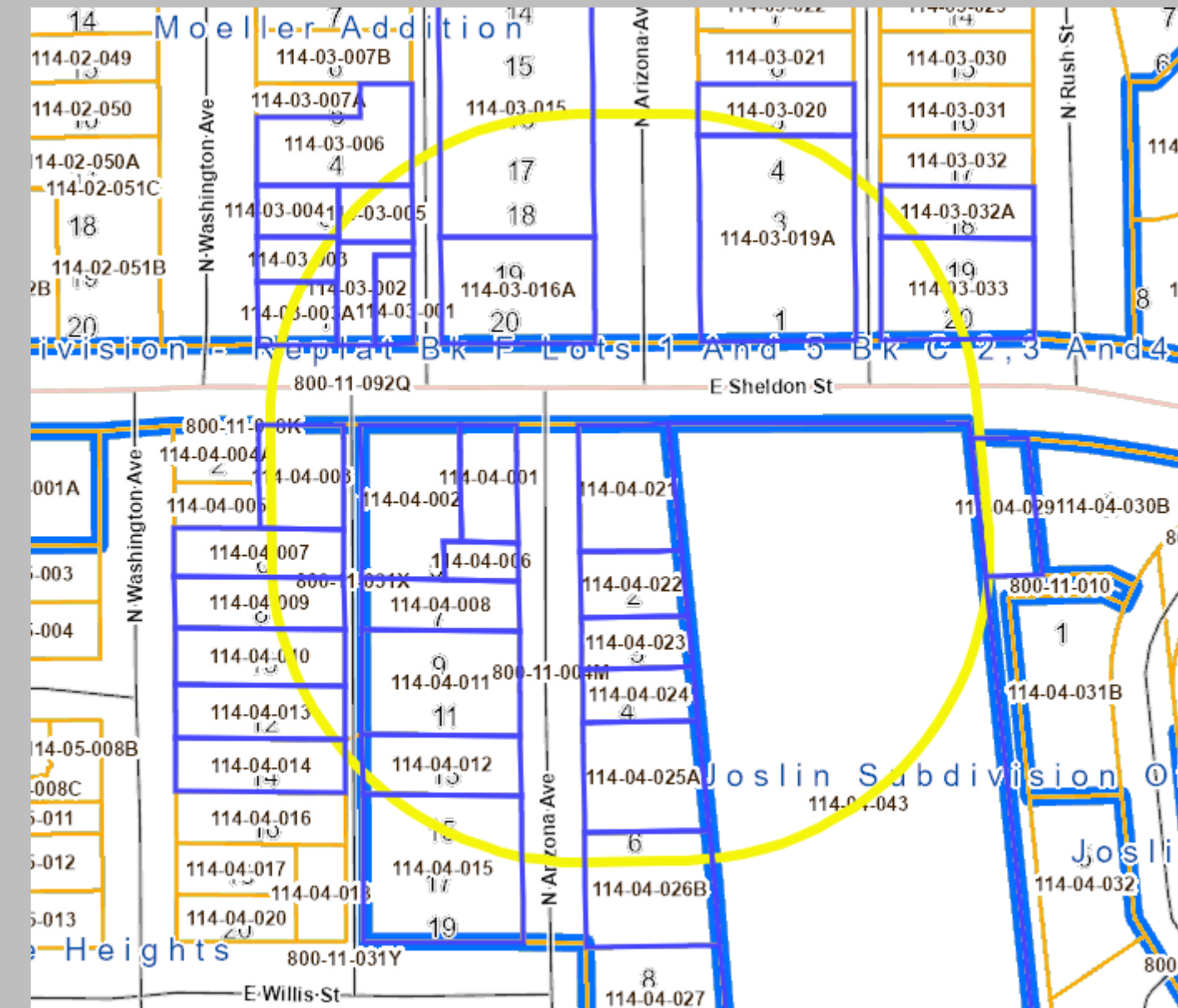
Permitted Use Table

PERMITTED USE TABLE																					
SPECIFIC USE	RESIDENTIAL BASE ZONING DISTRICTS										NONRESIDENTIAL BASE ZONING DISTRICTS								Use Standards		
	RE-2	SF-35	SF-18	SF-12	SF-9	SF-6	RT	MF-M	MF-H	SPC	NOS	RS	MU	RO	NOB	BG	BR	DTB		IT	IL
Retail, Service and Business Use Categories (See Sec. 11.1.5)																					
Tattoo Parlor																C	C		P	P	--



Neighborhood Outreach

Staff has sent mailings to the owners of record within 300' of the property, posted the property, and published notices in the local paper. Staff has not received any public comments regarding this CUP request.





Recommended Action

Move to Approve/Deny CUP25-003, to approve a tattoo parlor in a Business Regional (BR) zoning district located at 803 Sheldon Street.

