



Zoning Examiner

ZONING EXAMINER DECISION

February 17, 2026

To: Steven Eddy, Director of Public Affairs
TUCSON ELECTRIC POWER
3950 East Irvington Road
Tucson AZ 85714

SUBJECT: SPECIAL EXCEPTION LAND USE TP-ENT-1025-00021- Substation -Vine Avenue (Ward 6).

PUBLIC HEARINGS: January 29, 2026, and February 12, 2026

Dear Mr. Eddy,
Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules and Procedures (Resolution No. 9428), this letter contains the Zoning Examiner's decision for the SPECIAL EXCEPTION LAND USE TP-ENT-1025-00021- Substation -Vine Avenue (Ward 6).

Applicant's Request for Special Exception Land Use

Tucson Electric Power Company (TEP) requests approval of a Zoning Examiner Special Exception to allow construction of the Vine 138-kilovolt (kV) Substation as a Distribution System use within the R-2 zoning district. The proposed project is located on approximately 1.6 acres at 1602 North Vine Avenue, near the intersection of East Lee Street and adjacent to the North Ring Road serving the Banner campus, northwest of Speedway Boulevard and Campbell Avenue. The site is currently developed with vacant former University of Arizona Facilities Management buildings, which would be demolished to accommodate an unmanned, above-ground 138 kV electrical substation consisting of transformers, switchgear, and related equipment.

The applicant states that the substation is necessary to replace aging, lower-voltage infrastructure and to support increasing energy demand in central Tucson as part of TEP's broader Midtown Reliability Project, which upgrades the existing 46 kV system to a more robust 138 kV system. The Vine Substation would interconnect with the Kino and DeMoss-Petrie substations via transmission routes approved by the Arizona Corporation Commission in September 2024; those off-site transmission facilities are not part of this Special Exception request. TEP asserts that the

proposal complies with the applicable use-specific standards of UDC Section 4.9.11.A and seeks approval to proceed subject to conditions required by the Zoning Examiner.

Previous Special Exceptions

The proposed Vine Substation has been the subject of prior entitlement actions. In 2021, TEP filed Special Exception SE-20-16 for a substation at this location, which was found by staff and the Zoning Examiner to meet the performance criteria of UDC Section 4.9.11.A; however, the request was denied on May 13, 2021, due to unresolved uncertainty regarding the siting and routing of the related Kino–DMP Transmission Project, which at that time was pending before the Arizona Corporation Commission (ACC).

Since that decision, the ACC approved the transmission line route in September 2024, eliminating the prior basis for denial. The Vine Substation is also a component of TEP’s broader Midtown Reliability Project, which has included multiple special exception requests for to allow overhead transmission line crossings.

The Midtown Reliability Project was clarified by the Mayor and Council on August 6, 2025. In a series of 5-2 votes, the Council used its authority on Gateway Corridor Undergrounding Exemptions (UDC 4.9.11.A.13). The Council granted Special Exceptions to allow overhead lines at the Kino/Campbell and Grant Road Gateways, recognizing specific technical constraints. However, the Council denied the request for overhead lines near the Banner-UMC/North Campbell Gateway. For the Broadway Boulevard & Euclid Avenue perpendicular crossing, the Council did *not approve* the special exception — instead TEP withdrew that appeal from the administrative record during the meeting, effectively ending the local administrative process for that location.

Zoning and Land Use Background Information

Existing Land Use: Multiple metal and manufacturing buildings that support UA operations, including grounds maintenance, parts storage, engine repair, materials storage and office space.

Zoning Description:

R-2: This zone provides for medium density, single-family and multi-family, residential development, together with schools, parks, and other public services necessary for an urban residential environment. Select other uses, such as, day care and urban agriculture, are permitted that provide reasonable compatibility with adjoining residential uses.

Surrounding Zones and Land Uses:

North: Zoned NR-1; Neighborhood Preservation Zone, Single-Family Residential
Existing Uses: UA Facilities Management & Maintenance Operations

South: Zoned R-2; Single-Family Residential & Multi-Family Residential
Existing Uses: TEP 46kv open-air electric substation & UA 46kv gas-insulated substation

East: Zoned R-2 and PAD-28; Single-Family Residential & Multi-Family

Residential, Banner Planned Area Development
Existing Uses: Banner Medical Center, staff parking garage (5-stories)

West: Zoned R-2; Single-Family Residential & Multi-Family Residential
Existing Uses: Single- & Multi -Family residences (1- and 2-stories)

Previous Cases on the Property:

SE-20-16 Tucson Electric Power Company – N Vine Street, R-2 Zone. This was a request for approval as a special exception land use for the construction of an electric substation in the R-2 zone at the same project location. On May 13, 2021, the Zoning Examiner denied the Special Exception since the Applicant was considering several different transmission line routes for Kino-DMP and a pending final decision regarding on-line-siting by the Arizona Corporation Commission (ACC).

Use-Specific Standards for Distribution Land Use (Substation)

The evaluation of the subject property is for the land use class "Distribution System" which includes the substation land use in the R-2 zone. The applicant has requested modifications to certain standards under the authority of **UDC Section 3.4.3.J.**

UDC 4.9.11.A.1 & .2 (Setbacks): The code requires a 20-foot setback. The applicant proposes a 0-foot setback on the north, south, and east boundaries. This modification is found to be appropriate as these boundaries abut institutional and utility uses (University of Arizona parking and infrastructure). The required 20-foot setback is maintained on the west (Vine Avenue) to install a landscaped buffer yard with sidewalk.

UDC 4.9.11.A.8 (Character): On November 21, 2025, the Design Review Board (DRB) reviewed the project and recommended approval (4-0). To ensure the facility integrates with the Jefferson Park and Desert Mallow neighborhoods, the DRB recommended Cor-ten (Weathered Steel) finishes to provide a visual texture that complements the University's red brick. The DRB also recommended a rainwater harvesting system sloped west to sustain the 20-foot landscape buffer along Vine Avenue, and articulation (stepping-in) of the west and east perimeter wall to break up the "monolithic" appearance of the long masonry span.

UDC 4.9.11.A.9 (Wall Height): The applicant proposes a 13.5-foot wall, exceeding the 10-foot maximum. This modification is granted to provide architectural continuity with the adjacent UA substation wall and to satisfy Federal Critical Infrastructure Protection (CIP) requirements to reduce off-site observation of critical components.

UDC 4.9.11.A.11 (Voltage): The facility is a 138kV substation, which is the maximum input voltage permitted in this zone.

Land Use Planning Considerations

Plan Tucson 2025 and the University Area Plan (UAP) establish a policy framework regarding utilities. The policies affecting utilities are listed below. In addition, the subject property is within the University of Arizona Planning Area, a zone characterized by the high-intensity infrastructure needs of a major medical and educational campus. The substation, which is a permitted use in industrial zones, is within the R-2 residential zone and requires a greater standard for design sensitivity.

The plan policies most focused on the Special Exception substation aim at neighborhood and historic sensitive design and visual mitigation.

Plan Tucson reinforces this direction. Chapter 4, Policies A.25 and A.27 mandate that above-ground utilities be installed and maintained to minimize visual impacts and preserve viewsheds. The Plan Tucson states the visual impact of above-ground infrastructure must be a "prime consideration" in the City's approval process. Further, Chapter 3 (Land Use 17) requires that the design and location of such facilities remain sensitive to the environment and the historic resources that define the central Tucson area. The University Area Plan Policies 3 and 6 also address minimizing disruption of neighborhoods and undergrounding of utilities.

The subject property is at a sensitive border between the **University of Arizona's** institutional footprint and the historic residential areas of the **Jefferson Park and Desert Mallow** neighborhoods. While the Zoning Examiner approves the height increase of the perimeter wall to 13.5-feet, which is an increase over the ten-foot standard for utility security and screening. However, this increase creates a more massive structure adjoining the neighborhoods to the west. To prevent an adverse impact on the residential streetscape to the west, the industrial character of the perimeter barrier needs to be softened through intentional architectural and artistic transition.

The project, as conditioned, will comply with Plan Tucson's Heritage Conservation (Policy HP1) and Urban Design (Policy UD1), which require the preservation and honoring of neighborhood identity. These policies are noted below. By requiring public art that focuses on the University's agricultural history and the unique narratives of the adjoining neighborhoods, the project can meet city-wide goals of integrating cultural heritage into modern infrastructure. This artistic narrative ensures the substation provides a neighborhood benefit that offsets the intensification of the industrial utility use.

The University Area Plan emphasizes "compatible transitions" and the use of materials that echo the University's architectural style. Consistent with UAP Institutional/Office Policy 4, the Design Review Board (DRB) has recommended a palette of UA-standard brick and Cor-Ten steel. Condition 14, requiring history-based public art, serves as the final layer of this contextual bridge. It ensures the facility is not merely screened but is aesthetically and historically integrated into the surrounding neighborhood area.

Plan Tucson 2025 on Utilities:

Chapter 3 Land Use 17

Coordinate with utility companies and other public service providers for the planning of infrastructure, facilities, and services, making sure the design and location of infrastructure and facility construction are sensitive to community health, environment, and historic resources.

Chapter 4 Policy A.25 *Improve the appearance of above-ground utilities and structures by requiring facilities to be located, installed, and maintained to minimize visual impact and preserve access to views. Utilities should be installed underground where possible, and the visual impact of above-ground utility infrastructure should be a prime consideration in the City's acceptance and approval.*

Policy A.26 *Support the deployment of the latest generation of networking infrastructure and services to all residents, businesses and community anchor institutions.*

Policy A.27 *Coordinate infrastructure deployment to minimize Right-of-Way impacts, increase efficiency, and enhance local resilience through connections to City facilities and the greater infrastructure system.*

The University Area Plan on Utilities:

Public Service Section –

Policy 3. *Encourage government agencies and utility providers to coordinate the planning and development of projects in order to maximize efficiency while minimizing neighborhood disruption.*

Policy 6 - *Wherever possible, place utility and service equipment underground or in other visually screened location.*

Plan Tucson on Heritage and Architectural Design

Policy HP1 Heritage Preservation: *Identify and preserve Tucson's historic, cultural, and archaeological resources, and leverage these assets to enrich the community's sense of place and heritage.*

Policy UD1 Urban Design: *Promote urban design that is compatible with the surrounding scale and character of existing development, emphasizing the integration of public art and high-quality materials to enhance the pedestrian experience and neighborhood identity.*

University Area Plan on Heritage and Architectural Design

On "Compatible Transitions" Residential Stability Policy 1: *Encourage development and infill that is compatible with the scale, height, and character of the adjacent residential*

neighborhoods. Use transitional design elements such as step-backs, landscape buffers, and architectural detailing to mitigate the impact of non-residential uses.

On "Architectural Vernacular" Institutional/Office Policy 4: New non-residential structures should utilize a material palette and design language that echoes the University's architectural vernacular, specifically the use of red brick and masonry, while incorporating contemporary elements that reflect the evolving identity of the area.

Zoning Examiner's Authority and Transmission Lines

The Zoning Examiner has reviewed and considered the spoken and written testimony regarding the impact of 138kV transmission lines on neighborhoods within the University Area Plan. At the public hearing and from written protests there was an overwhelming public preference to mandate the placing of transmission lines underground as a condition of approval, but this Special Exception review is limited to the substation at 1602 Vine Avenue.

The Unified Development Code (UDC) limits zoning authority in Section 1.4.2.G, stating that zoning is applicable to all property "except street rights of way." Thus, The Zoning Examiner's authority is confined to the substation's land use, the applicable use-specific standards, and the Special Exception findings required by Section 3.4.5.

Infrastructure within the public right-of-way is not part of this zoning review. The use of the right-of-way by Tucson Electric Power is governed by the 2000 Franchise Agreement, a voter-approved ordinance separate from the UDC. The UDC provides the Zoning Examiner some authority to address relief of underground placement of transmission lines within Gateway and Scenic Corridors (Sec. 5.5 and 5.3). This relief of underground placement involves a particular use-specific standard (Sec. 4.9.11.A.13). A.13 is about exemptions to allow placing a line above ground. This use-specific standard A.13 does not apply to Distribution uses like the substation. The applicable use-specific standards for a substation are Sec. 4.9.11.A.1, .2, .5, .8, .9, .11, .12 (See UDC TABLE 4.8-2: PERMITTED USES - URBAN RESIDENTIAL ZONES -Distribution Systems). Further, a use-specific standard like A.13 carries the force of law. Policies cannot be inferred or interpreted regarding visual impacts in Plan Tucson or the University Area Plan to carry the force of law but instead are intended for decision guidance. If the substation review does not have a use-specific standard allowing control over transmission line placement then there is no authority to make a decision.

Neither the UDC nor the 2000 Franchise Agreement grant the Zoning Examiner the power to determine the above or below-ground placement of transmission lines during a substation review. Outside of Gateway and Scenic Corridors exemptions, transmission line decisions remain subject to the terms of the Franchise Agreement and the legislative authority of the Mayor and Council. Therefore, the scope of this decision is limited to compliance and compatibility of the 1602 Vine Avenue substation.

Neighborhood Meeting August 20, 2025

On August 20, 2025, Tucson Electric Power held a neighborhood meeting at the Ward 3 City Offices to discuss the proposed Vine Substation. The project involves building a 138 kV substation on a 1.6-acre property that currently serves as a maintenance yard for the University of Arizona. The site is in an R-2 zone near Vine Avenue and Ring Road, and the applicant explained how the new facility would impact the existing property and neighborhood.

One of the main topics discussed was how the substation would affect the neighborhood. The applicant explained that the site would transition from a busy maintenance shop with regular truck traffic and noise to an unmanned facility. Because the substation operates without a daily staff, the applicant expects a significant reduction in noise and traffic. The applicant's team provided information showing that the sound levels from such a facility are typically lower than the normal background noise found in a city setting.

To address the look of the project, the applicant proposed building a 13.5-foot decorative masonry wall designed to match the nearby University's existing walls. This wall would be set back behind a 20-foot landscape buffer along Vine Avenue to help screen the equipment from public view. Additionally, the team noted that the only lighting on the property would be used during rare maintenance visits, meaning the site would remain dark most of the time.

Safety and technology were also important points of conversation. Neighbors asked about electromagnetic fields and the specific gas used to insulate the electrical equipment. The team described the use of sulfur hexafluoride gas, explaining that it is a stable, nonflammable, and nontoxic substance kept inside sealed containers. They noted that this technology is already in use at other substations in Tucson and is designed to prevent any gas from escaping into the air.

Finally, some residents expressed concerns about environmental issues like local habitats and cultural resources. The project team explained that because the property is already fully developed with offices and shops, the typical concerns associated with building on raw land do not apply here. They further clarified that the specific path of the power lines leading to the substation is being handled through a separate state-level process with the Arizona Corporation Commission. The meeting allowed residents to review display boards and ask questions directly to the planners and engineers involved in the project before it moves forward in the City's permitting process.

Summary of Zoning Examiner Public Hearing January 29, 2026

The January 29, 2026, public hearing concerned Tucson Electric Power Company's request for approval of a Special Exception land use to construct the Vine 138-kilovolt substation at 1602 North Vine Avenue, within the R-2 zone. The proposal includes demolition of the former University of Arizona Facilities Management and Maintenance Operations Center and construction of an unmanned gas-insulated substation (GIS), surrounded by a 13.5-foot masonry security wall. The applicant also seeks relief from the required 20-foot setback along the north, south, and east property lines.

This request follows a prior Special Exception application heard in 2021 for the same site and facility. At that time, the Zoning Examiner found the substation met the applicable performance criteria but denied the request without prejudice due to the lack of approval for the supporting transmission line. Since then, the Midtown Reliability transmission project has been approved by the Arizona Corporation Commission and processed through City review, removing the procedural basis for the prior denial.

City staff presented the regulatory framework, project history, and applicable standards under the Unified Development Code. Staff noted the Design Review Board reviewed the project in November 2025 and found it compliant with use-specific standards, subject to conditions.

Staff further concluded the proposal is consistent with Plan Tucson and the University Area Plan, citing policies supporting investment in public infrastructure, coordination with utilities, modernization of aging systems, and design sensitivity.

Staff also reported a public opposition, including protest letters from multiple neighborhood associations, Underground Arizona, and the Tucson-Pima County Historical Commission. Of those received, only one protest met the 150-foot statutory threshold, though the number of objections reflected broad concern beyond the immediate radius.

Public opposition centered on several recurring themes. Representatives of neighborhood associations and Underground Arizona, including testimony from Mr. Schwartz, argued that while the application is formally limited to the substation, the project cannot be meaningfully separated from the associated transmission infrastructure. Protesters emphasized that the visible presence of transmission pylons and overhead facilities—approved through a separate process—creates an incompatible industrial character within a residential and institutional area governed by the University Area Plan.

Protesters asserted that the University Area Plan places strong emphasis on minimizing visual intrusion, placing utilities underground where feasible, and protecting neighborhood character in an area defined by proximity to the University of Arizona and established residential neighborhoods. They argued that above-ground infrastructure, including tall pylons and substation walls placed at the property line, undermines these policies and sets a precedent for further erosion of neighborhood protections.

Cost feasibility was also raised as a central concern. Protesters questioned whether economic considerations were being given disproportionate weight relative to long-term neighborhood impacts. Underground Arizona and neighborhood speakers contended that alternatives involving underground transmission or different siting strategies were dismissed primarily on cost grounds, without sufficient consideration of cumulative impacts, long-term public benefit, or consistency with adopted planning policies. Several speakers expressed concern that infrastructure decisions were being driven by utility efficiency rather than land-use compatibility.

Additional concerns raised by the public included the appropriateness of placing a major electrical facility in an R-2 zone rather than an industrial area, potential safety risks associated with SF6 gas used in GIS technology, noise from transformers, lighting impacts, and the

incremental industrialization of the Vine Avenue corridor. Protesters emphasized that even if individual components meet technical standards, the combined effect of the substation, transmission infrastructure, and reduced setbacks represents a level of intensity inconsistent with surrounding residential uses.

The applicant responded that zoning regulations expressly allow substations in residential zones through the Special Exception process and that similar facilities already operate in residential or mixed-use contexts throughout Tucson. Tucson Electric Power stated that the Vine Street site was selected after evaluating multiple locations and that spatial constraints in Midtown Tucson make conventional substation siting impractical. The applicant emphasized that GIS technology allows a substantially smaller footprint and that the proposed wall height, materials, and landscaping were specifically designed to match adjacent facilities and reduce visual impacts.

With respect to undergrounding and cost feasibility, the applicant noted that undergrounding of the transmission line was extensively evaluated during the Arizona Corporation Commission line-siting process and subsequent City proceedings, resulting in a mix of underground and overhead segments approved by Mayor and Council. The applicant emphasized that those decisions are final and outside the scope of the present Special Exception request, which is limited to the substation as a distribution facility.

Regarding safety, noise, and lighting, the applicant provided testimony that GIS equipment is continuously monitored, incorporates multiple containment systems, and has not resulted in incidents within TEP's system. Noise levels were stated to be significantly below City limits, and lighting would be limited to security and maintenance needs rather than continuous nighttime illumination.

Throughout the hearing, the key issue was not limited to technical compliance with the Unified Development Code, but whether the proposed substation—when viewed in context with the surrounding neighborhood and the previously approved transmission infrastructure—appropriately balances essential public utility needs with the intent and policies of the University Area Plan. The record reflects a clear divergence between the applicant's position that the project represents necessary, well-mitigated infrastructure modernization and the protesters' position that the facility contributes to an incompatible concentration of above-ground utility infrastructure in a sensitive residential and university-adjacent area.

The Zoning Examiner continued the case to February 12, 2026, asking the applicant to provide mapping information on transmission line siting occurring near historic neighborhoods and the University Area Plan and further provide more information about underground feasibility and costs. Further, the Zoning Examiner wanted to become more familiar with the legal issues involved in the special exception case.

Summary of Zoning Examiner Public Hearing February 12, 2026

The continued public hearing for the Vine Substation project took place on February 12, 2026, to address the Special Exception request under case number TP-ENT-1025-00021. At this point there were about 61 protest letters and about 2 letters of support. During the proceedings, representatives for the applicant detailed the necessity of the 138kV substation for maintaining

electrical reliability in central Tucson, noting that the project involves retiring extensive sections of aging 46kV infrastructure and undergrounding several miles of distribution lines. They maintained that the facility design conforms to the standards established by the Design Review Board and is positioned to reduce direct impacts on historic neighborhoods.

Testimony from neighborhood representatives and residents emphasized a significant demand for the enforcement of the University Area Plan and Plan Tucson 2025, regarding the undergrounding of high-voltage transmission lines. These speakers argued that the City's land-use authority remains distinct from State utility regulations and that current franchise agreements do not permit cost to be used as a justification for disregarding area plan guidelines. Concerns were also raised regarding the accuracy of cost estimates provided by the utility and the long-term visual impact of the infrastructure on the city's historic surroundings.

At the end of public testimony, the Zoning Examiner outlined the subsequent steps in the decision-making process. The decision will incorporate a series of specific conditions to mitigate neighborhood impacts, including a 45 dB exterior noise limit at property lines adjacent to residential areas and strict compliance with the City's Outdoor Lighting Code to prevent light trespass. Additionally, the applicant should establish and report on SF6 gas safety protocols to ensure environmental transparency and to incorporate public art that reflects a historical connection to the surrounding neighborhoods.

All previously accepted staff-recommended conditions will be integrated into the final decision, which is scheduled for issuance next week. This decision will include the formal findings of fact and a notification of the appeal process. The Zoning Examiner closed the public hearing for this case.

Special Exception Findings

Below is an evaluation of the five findings listed in UDC Sec. 3.4.5 used for evaluating the Special Exception request for a 138kV substation at 1602 Vine Avenue. The substation meets the use specific standards and complies with applicable land use plans' policies. The findings below reflect on the above compliance review.

Finding 1: The proposed use meets all the adopted codes and standards.

The substation's site plan will comply with policies focused on sensitive design towards neighborhoods and historic resources and, visual mitigation especially under the attached Zoning Examiner's conditions, Further, it meets all use-specific standards of UDC Sec. 4.9.11.A, with the modifications to setbacks and wall height authorized under UDC Sec. 3.4.3.J. These modifications are supported by the recommendations of the Design Review Board for wall design and landscaping to adjust to the nearby residential land uses.

Finding 2: The proposed use will not adversely affect adjacent land uses or the adverse effects have been substantially mitigated.

Potential adverse effects including noise, safety, and lighting are mitigated by the 13.5-foot wall, which surrounds equipment. Special conditions will require a 45dB noise limit and 24/7 SF6 gas monitoring. Light trespass is regulated by the Outdoor Lighting Code, The 0-foot setbacks on the North, South, and East are adjacent to the non-residential areas of the adjacent parcels away from residential uses.

Finding 3: The proposed use will not adversely affect the public health, safety, and welfare.

The transition to GIS-type gas technology and modern monitoring systems enhances safety. The facility is unmanned and generates negligible traffic. There are automated safety protocols for gas detection. Light trespass is controlled by adherence to the City's Outdoor Lighting Code and the reduced time employees are present at the site. There is also strict adherence to Federal Critical Infrastructure Protection requirements that ensure focus on the safety of the facility and the welfare of the surrounding community.

Finding 4: The proposed use will not create a demand for public facilities and services that cannot be met.

The substation is a public service provider that improves electrical reliability for the University/Banner Medical campus and central Tucson. It places no burden on existing sewer or water services; required rainwater harvesting on-site further reduces the demand on municipal stormwater systems.

Finding 5: The proposed use complies with General Plan and other land use plans.

The proposed substation complies with the policy framework established by Plan Tucson 2025 and the University Area Plan (UAP). These plans mandate that for essential infrastructure in sensitive locations, visual mitigation and historic sensitivity must be a "prime consideration" in the City's approval process (Plan Tucson Policies LU 17 and A.25).

Architectural Integration: The substation achieves compliance through a site design that uses high-quality UA-standard masonry and Cor-Ten steel accents, as recommended by the Design Review Board (Condition 10). The wall segments are articulated and "stepped-in" to provide visual relief, breaking the horizontal massing of the 13.5-foot perimeter and reducing an industrial appearance.

Historical Sensitivity: In direct response to UAP Policy 6 and Plan Tucson's mandate for historic resource sensitivity, the project will add narrative public art into the perimeter wall (Condition 14). This feature ensures the facility is not merely screened but is rooted in the history of the Desert Mallow and Jefferson Park neighborhoods and the University's agricultural legacy.

Neighborhood Mitigation: By containing all electrical equipment behind a barrier with sensitive architectural and historical design, the project minimizes neighborhood disruption in accordance with UAP Policy 3. The inclusion of a formal public art input process for neighborhood associations—subject to review by the City’s Historic Preservation Officer and Design Professional—guarantees that the final design provides a "neighborhood benefit" that helps achieve compliance and compatibility for the substation.

Conclusion

The Zoning Examiner finds the requested Special Exception for the Vine Substation to be in compliance with the applicable Plan Tucson’s and the University Area Plan’s policies, the UDC’s use-specific standards and the Sec. 3.4.5 Special Exception findings, provided the applicant adheres to all Zoning Examiner’s conditions.

Decision

The Zoning Examiner approves the Special Exception subject to the Zoning Examiner’s conditions.

Appeal

The Zoning Examiner’s decision may be appealed to the Mayor and Council by any party of record in accordance with Unified Development Code Section 3.9.2 by submitting a notice of intent to appeal to the City Clerk within 14 days from the effective date of the decision with a copy delivered to PDSD and reviewed by PDSD. The complete appeal materials must be filed with the City Clerk within 30 of the effective date of the decision.

Sincerely,



Jim Mazzocco
Zoning Examiner

ATTACHMENTS:

- Zoning Examiner’s Conditions
- Case Location Map
- Aerial Map
- Public Hearing Minutes 01-29-2026
- Public Hearing Minutes 02-12-2026
- cc: City of Tucson Mayor and Council

ZONING EXAMINER'S CONDITIONS

PROCEDURAL

1. The application must be in compliance with the underground utilities policies of Plan Tucson and the University Area Plan.
2. A development package, in substantial compliance with the preliminary development package and required reports dated October 22, 2025, is to be submitted and approved in accordance with the Administrative Manual, Section 2-06.
3. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled "Agreement to Waive Any Claims Against the City for Zoning Amendment". The fully executed Waiver must be received by the Planning & Development Services Department before the item is scheduled for Mayor and Council action.
4. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Historic Preservation Officer. Pursuant to A.R.S. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director Arizona State Museum.
5. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
6. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of the special exception.

LAND USE COMPATIBILITY

7. The development shall include, a 13.5-foot decorative masonry (brick) wall surrounding the entire site, designed to match the height, materials and styles of the wall surrounding the UA's 46kV GIS substation south of the project site at the southeast corner of N. Vine Avenue and E. Lee Street. The perimeter wall is to be constructed on the property line (north, south and east boundaries). The wall shall be coordinated with Conditions 10 and 14 below.
8. There is to be a 20-foot landscape buffer along Vine Avenue, with the 13.5-foot perimeter wall setback 20-feet from the property line.
9. Plant palette to include hardy and more lasting understory plant material varieties; new trees to be located to provide as much shade as possible along the sidewalk; and all existing viable plants and canopy trees within the

landscape border area shall be preserved in place to the fullest extent possible.

10. In accordance with the Design Review Board (DRB) recommendation of November 21, 2025, the applicant shall implement the following measures to ensure architectural and neighborhood sensitivity:

Material Harmony: Ensure that the "drop -in" substation structures are finished with Cor-Ten steel (weathering steel) to provide a cohesive visual transition between the modern utility infrastructure and the UA-standard brick perimeter wall.

Environmental Integration: The rainwater harvesting system shall be sloped toward the west to sustain the perimeter landscaping, providing a "living" buffer between the substation and the residential streetscape.

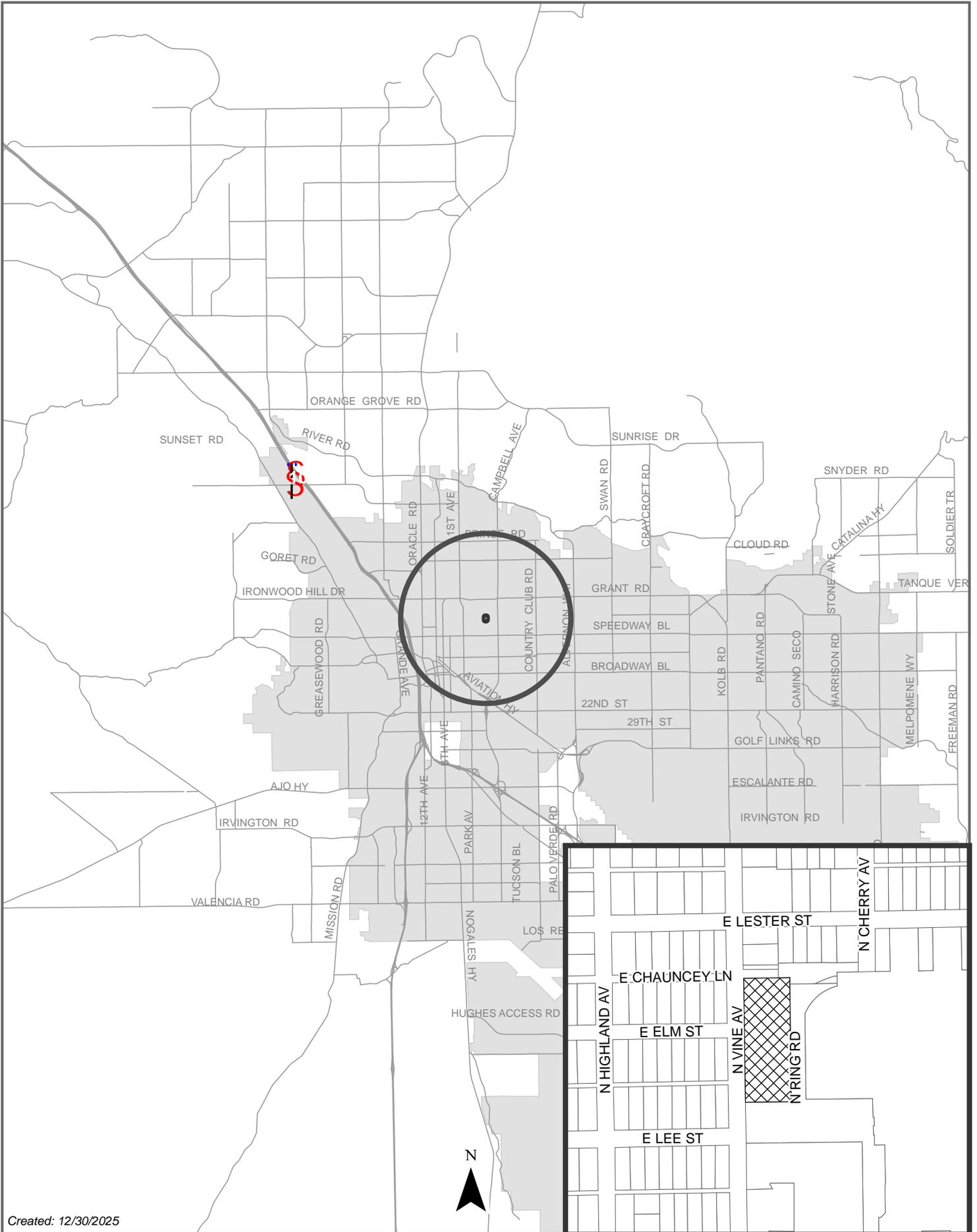
Massing Relief: Both the east and west perimeter walls shall incorporate stepped-in vertical features. These features shall serve as the architectural framing for the public art required in Condition 14, breaking the horizontal massing of the 13.5-foot wall on the west side to provide significant visual relief and neighborhood-scale.

OPERATIONAL MITIGATION

11. Noise Limitation: Operational noise shall not exceed 45 dBA at the residential property lines.
12. SF6 Safety Protocol: The applicant shall maintain 24/7 automated monitoring of SF6 gas. An annual safety and environmental compliance report shall be provided to the Planning and Development Services Department (PDSD).
13. Lighting: All site lighting shall be shielded, motion-activated, and compliant with the Tucson Outdoor Lighting Code.
14. The applicant (TEP) shall integrate a public art feature into the west-facing 13.5-foot perimeter wall. To effectively mitigate the massing of the wall, the art shall be of a scale and proportion appropriate to the wall's dimensions and utilize materials compatible with the approved UA brick and Cor-Ten steel. The theme shall reflect the history of the Desert Mallow and Jefferson Park neighborhoods and/or the University of Arizona's agricultural legacy. TEP shall facilitate at a minimum one collaborative session with the adjoining neighborhood associations to solicit design recommendations. The final design shall be subject to a recommendation by the City's Historical

Preservation Officer and Design Professional, with final approval by the PDSD Director. If there is any conflict with compliance with the above conditions, the implementation of Condition 14 shall prevail.

TP-ENT-1025-00021





 Area of Special Exception Request

Address: 1730 N VINE AV
Base Maps: Twp. 1403 Range 1402 Sec. 06
Ward(s): 3,6



2022 Aerial
Created: 12/30/2025



**CITY OF TUCSON ZONING EXAMINER
PUBLIC HEARING**

JANUARY 29, 2026

**TEP Substation
Vine Avenue (Ward 6)
(Case No. TP-ENT-1025-00021)**

ZONING EXAMINER:

- Jim Mazzocco

STAFF PRESENT:

- Jay Olivas
City of Tucson
Planning and Development Services Department
- John Beall, Section Manager
City of Tucson
Planning and Development Services Department

APPLICANT/AGENT PRESENT:

- Steven Eddy
Director of Public Affairs
Tucson Electric Power
P.O. Box 711 Unit OH: 131
Tucson, Arizona 85702
- Alberto Quinonez
Tucson Electric Power
P.O. Box 711 Unit OH: 131
Tucson, Arizona 85702

1 ZONING EXAMINER: It's 6:00 p.m. It's January
2 29th, 2026. Welcome to tonight's Public Hearing. My name is Jim
3 Mazzocco. I'm the Zoning Examiner for the City of Tucson. We
4 have one case scheduled for the Public Hearing tonight and we --
5 okay, we'll just go there.

1 As Zoning Examiner, I conduct rezoning hearings and
2 Special Exception hearings. Tonight is what is called a Zoning
3 Examiner's Special Exception Hearing, where the Zoning Examiner
4 makes a decision that can be appealed to Mayor and Council. And
5 what I do is, on behalf of the Mayor and Council, I make findings
6 of fact and I put them into a written report -- or, in this case,
7 a decision report -- along with my recommendations, which I send
8 to the Mayor and Council for their consideration in cases where
9 things do get appealed. My report -- or, in the case of a Zoning
10 Examiner Special Exception, is my decision and will be based on
11 the information submitted to me, which includes the application,
12 the Staff Report, all written approvals and protests, all
13 correspondence, and testimony given at tonight's Public Hearing.
14 I'll also include in the record all documents submitted to me to
15 the close of the Public Hearing tonight. Tonight's proceedings
16 are -- and tonight's proceedings are being recorded.

17 For Special Exception, again for clarification, there
18 are two types, and this is the type that's called a Special --
19 Zoning Examiner Special Exception where I make the decision. And
20 it can be appealed if one submits an Intent to Appeal to the City
21 Clerk within 14 days of the Public Hearing, and provides
22 materials for the appeal within 30 days.

23 If you'd like to receive a copy of my decision, you --
24 and you're not listed as a party of record -- that's usually
25 somebody who's received notification or is -- is also someone who

1 is requesting to speak -- they can go to -- they can get that
2 report through email; that's -- it's Tucsonrezoning@tucsonaz.gov,
3 or call the City of Tucson Planning and Development Services
4 Department, and they will also be able to provide you with that
5 material.

6 So, here's how each of tonight's Public -- or tonight's
7 Public Hearing is going to be -- is going to proceed: First, the
8 Planning and Development Staff will give their report. Then the
9 Applicant will make their presentation. Then the public may
10 speak and will be called on to testify. We usually give people
11 about five minutes to speak. If you -- we don't try to cut you
12 off in mid-sentence or anything. If you have a thought and we
13 show five minutes, we'll let you finish your thought -- but just
14 so you keep that in mind.

15 When you come up here, speak into the microphone
16 clearly, and give your name and address for the record. And I'll
17 call you to testify. I have all your names, at least everybody
18 who's written down -- this kind of card. I have them up here.
19 If you haven't done that, you want to fill it out, there are
20 cards at the podium there.

21 So, at this point, what I do is for those who plan to
22 speak, I request you stand, or you can sit, and respond to the
23 following -- those who plan to speak. Okay. Would you mind
24 standing so I can see who you are? Okay. And could you raise
25 your right hand? Do you swear to tell the truth, the whole

1 truth, and nothing but the truth?

2 (Affirmative responses.)

3 ZONING EXAMINER: Okay. Thank you. You can be
4 seated.

5 With that, let's begin, and let me read the name of the
6 first case here. It's TP-ENT-1025-00021 - TEP Substation - Vine
7 Avenue, Ward 6. Staff report, please.

8 MR. OLIVAS: Thank you, Mr. Mazzocco. Jay Olivas,
9 Planning Staff, City of Tucson. This is a request by Tucson
10 Electric Power Company, proposing the construction of the Vine
11 138-kilovolt Substation as a Special Exception Land Use in the R-
12 2 zone. The project site is approximately 1.6 acres in size,
13 located on North Vine Avenue near its intersection with East Lee
14 Street and adjacent to North Ring Road, a private roadway serving
15 Banner Campus just northwest of Speedway Boulevard and Campbell
16 Avenue.

17 The project proposes to replace older, lower- -- lower-
18 voltage equipment to serve increasing energy use in central
19 Tucson. A distribution system use of this type in the R-2 zone
20 is subject to § 4.9.11.A.1, 2, 5, 8, 9 and 11 of the Unified
21 Development Code, and requires approval through a Zoning Examiner
22 Special Exception Procedure, in according with UDC § 3.4.3.

23 The Design Review Board also completes a review of the
24 proposed substation. This has already occurred. This occurred
25 on November 21st, 2025. The Design Review Board found the

1 project in compliance with UDC use-specific standards,
2 specifically § 4.9.11.A.8.

3 The proposed project site currently houses the vacant
4 former U of A Facilities Management and Maintenance Operation
5 Center, which includes a warehouse, a shop, outdoor materials
6 storage area and office space. These structures are proposed to
7 be removed to accommodate the proposed unmanned 138-kilovolt
8 substation.

9 Some history. The -- there was a previous Special
10 Exception, SE-20-16 by Tucson Electric Power Company back in 2021
11 for the North Vine Substation. There -- there was a hearing by
12 the Zoning Examiner on May 13th, 2021, to determine that the
13 proposed Special Exception at the time was in compliance with the
14 performance criteria of UDC § 4.9.11.A for utilities distribution
15 system; however, the Zoning Examiner denied the Special Exception
16 at that time until additional information was available regarding
17 the siting of the Kino-DMP Transmission Project, with the final
18 decision on the route pending from the Arizona Corporation
19 Commission. That was back in 2021. The transmission line route
20 was subsequently approved by the Arizona Corporation Commission
21 in September '24.

22 Some details. The Vine Substation at 138 kilovolts is
23 with three 75-megavolt MVA transformers and gas-insulated
24 switchgear; that's what they call GIS equipment. Tucson Electric
25 Power Company is seeking relief from the 20-foot setback adjacent

1 to residential zones on the north, south, and east boundaries to
2 place the perimeter security wall on the property line.

3 Additionally, TEP is seeking to increase the security perimeter
4 wall height from ten feet to 13.5 feet to match the existing
5 Banner wall height.

6 The project is subject to Plan Tucson 2025. The Future
7 Growth Scenario Map designates this project site as a University
8 of Arizona Planning Area in -- in neighborhoods; and it is
9 surrounded by large master-planned educational, medical, and
10 business facilities. The new Plan Tucson 2025 calls to invest in
11 highest-priority needs to manage and maintain public
12 infrastructure and facilities that are fundamental to economic
13 development, and to sustaining and enhancing living conditions in
14 the community. Plan Tucson provides policy direction to
15 coordinate with utility companies and other public service
16 providers for planning of infrastructure, facilities and
17 services, making sure infrastructure and facility construction is
18 sensitive to design and location to environmental and historic
19 resources. It calls to expand the use of state-of-the-art, cost-
20 effective technologies and services for public infrastructure and
21 facilities. Plan Tucson also calls to improve the appearance of
22 above-ground utilities and structures.

23 Additionally, the project site is located within the
24 University Area Plan, which is -- has policies to ensure an
25 adequate supply of high-quality public services to meet the

1 current and projected needs of the University area residents and
2 businesses. The University Area Plan encourages utility
3 providers to coordinate the planning and development of projects
4 to maximize efficiency, while minimizing neighborhood disruption.
5 Furthermore, the University Area Plan calls, wherever possible,
6 to place utility and service equipment underground or in other
7 visually-screened locations. The Plan calls to complement
8 surrounding development, utilize compatible building material
9 setbacks, step-backs, including buffering with appropriate
10 screening techniques to mitigate the impact on adjacent land
11 uses.

12 Surrounding land uses to the 1.6-acre site. To the
13 south -- is adjacent to the existing Tucson Electric Power 46-
14 kilovolt, open-air electric substation which is to be replaced in
15 the future. The property to the north is a U-of-A-owned
16 salvaging and recycling operation. Residential land uses lie to
17 the west across North Vine Avenue. The substation will be
18 replacing the current U of A Facilities Management and
19 Maintenance Operation Center uses currently onsite.

20 More detail about the actual project site and design.
21 The substation will have a 13.5-foot decorative masonry designed
22 wall, red brick, to match the height, materials and style of the
23 wall surrounding the existing U of A's 46-kilovolt GIS substation
24 south of the project site. The wall will be set on the northeast
25 and south property lines, completely surrounding the proposed

1 substation. The Vine streetscape will be improved with the
2 project's landscaping and decorative masonry wall. Currently,
3 the U of A Facilities Management and Maintenance Operation Center
4 is screened by an open wrought-iron fence around the proposed
5 Special Exception site, which does not currently provide
6 screening or buffering of the existing parking area and facility
7 operations.

8 In conclusion, the proposed -- in the Staff Report, the
9 proposed Special Exception is consistent with Plan Tucson and the
10 University Area Plan, and in compliance with performance criteria
11 of UDC § 4.9.11.A. Subject to compliance with the attached
12 revised Preliminary Conditions, approval of the Special Exception
13 Land Use in the R-2 zone is appropriate.

14 Staff would like to mention -- cover the
15 approval/protest calculation and comments we did tabulate. As of
16 this evening, we have approval/protests in the amount of three
17 approvals, approximately -- or 65 protests, and there was one
18 protest within a 150-foot radius. We also received some
19 organizational letters. These included: Tucson Pima County
20 Historical Commission protest letter; Jefferson Park Neighborhood
21 Association protest letter; a Desert Mallow Neighborhood
22 Association protest letter; Feldman's Neighborhood Association
23 protest letter; West University Neighborhood Association protest
24 letter; and Underground Arizona protest letter.

25 That concludes my presentation.

1 ZONING EXAMINER: I have a couple questions. So,
2 besides asking for the Special Exception, they're also asking for
3 relief from one of the requirements and it's a setback
4 requirement, correct?

5 MR. BEALL: Yes, that is correct.

6 ZONING EXAMINER: And the setback is a reduction
7 to the north, south, and east property lines?

8 MR. BEALL: Yes.

9 ZONING EXAMINER: And what is it to? It's
10 supposed to be 20 feet and it's going to --

11 MR. BEALL: Shoot. I think it was in the -- in
12 the addendum. The Applicant might have the actual numbers.

13 ZONING EXAMINER: Okay, okay. We'll wait for the
14 Applicant to tell me, but I think it's zero or something like
15 that. Okay.

16 And the other thing you mentioned is there was a case
17 before in 2024, and -- and it was for a distribution center like
18 this one?

19 MR. BEALL: It was 2021, and it was for the same
20 distribution system --

21 ZONING EXAMINER: All right. So --

22 MR. BEALL: -- everything was the same.

23 ZONING EXAMINER: -- the same -- and for the same
24 138 kilovolt?

25 MR. BEALL: Yes, that is correct.

1 ZONING EXAMINER: Okay. And it was denied because
2 they did not have a transmission line plan approval?

3 MR. BEALL: Correct. The Zoning Examiner denied
4 it as there was no line in place yet for him to make a
5 recommendation.

6 ZONING EXAMINER: Okay, okay. Thank you.
7 So, with that, we'll go to the Applicant.

8 MR. EDDY: Good evening. How are you, Mr.
9 Mazzocco?

10 ZONING EXAMINER: Good to see you again.

11 MR. EDDY: Welcome back.

12 ZONING EXAMINER: Thank you.

13 MR. EDDY: I trust I'll be able to just use the
14 clicker in order to advance? Okay.

15 ZONING EXAMINER: Can you check to see if the
16 laser pointer works? Oh --

17 MR. EDDY: Not on the screens. But, I mean, if --
18 if you would like me to --

19 ZONING EXAMINER: It doesn't work at all?

20 MR. EDDY: -- wait more -- or go up to the screen
21 and point, I -- I can do so --

22 ZONING EXAMINER: Okay.

23 MR. EDDY: -- but I -- I think it should be
24 relatively self-explanatory.

25 ZONING EXAMINER: Yeah. But -- but can I put on

1 the record -- could we look into that, a laser pointer that
2 works? Okay. Thank you. Go ahead.

3 MR. EDDY: Absolutely. Well, Mr. Mazzocco, thank
4 you very much. And, Staff, thank you for the report.

5 Good evening on behalf of Tucson Electric Power. We
6 respectfully request the approval for this Special Exception Land
7 Use Permit for the Vine Substation at 1602 North Vine.

8 As noted in the Staff Report, Staff is recommending
9 approval, finding that the proposal is consistent with Plan
10 Tucson and the University Area Plan, and in compliance with the
11 UDC sections that apply to distribution substations.

12 For the record, my name is Steven Eddy. I am Director
13 of Public Affairs for Tucson Electric Power. With me this
14 evening, I have a whole host of professionals with me. So, I may
15 call on them if there are questions that I need assistance on.

16 So, just in terms of kind of a layout for this evening.
17 I -- I hate to repeat what was identified in the Staff Report,
18 but I do want to emphasize some points that were made. But,
19 also, to some of your questions, Mr. Mazzocco, I can address some
20 of those as we go.

21 So, real quickly, I'll provide a brief background on
22 the prior case, touch on the history of the Midtown Reliability
23 Project that was referenced. I'll provide some site information
24 that's relative to the substation, as well as some photo
25 simulations that provide, again, a visual representation for the

1 substation and the surroundings. Then go through the SELU
2 process, project timeline, and then address any questions that
3 you all have.

4 So, as noted by Staff, there is some history with this
5 project. The last time that this case was heard was in May,
6 2021, by the late John Iurino. And, again, as stated in the
7 Staff Report, the Zoning Examiner denied, without prejudice, this
8 application because the route for the -- at that time, Kino-DMP
9 Transmission Line had not gone through the public process, which
10 is why we are here this evening. That line has been approved by
11 the Arizona Corporation Commission, as well as some subsequent
12 approvals by Mayor and Council, which I will touch on here in a
13 bit.

14 So, touching on the Midtown Reliability Project, again
15 I want to emphasize that this project -- or this hearing tonight
16 is relative to the substation; though, I believe it's important
17 to provide a little bit of context as to how we are here this
18 evening, and the line that will support the Vine Substation
19 project.

20 The Midtown Reliability Project began in 2019 and
21 proceeded through a multi-year ACC regulated public process that
22 featured multiple public meetings, a neighborhood advisory group,
23 stakeholder engagement, and formal testimony, which included the
24 City of Tucson and a handful of intervenors in that case. It
25 provided a robust record that ultimately resulted in the approval

1 of the line, which is identified here on this map; again,
2 starting at the Kino Substation, roughly in the 36th and Kino
3 area, traversing west and north, crossing Broadway and along
4 Euclid, and then ultimately going to Vine, and then from Vine off
5 to DeMoss-Petrie Substation; but, again, that line has been
6 settled. We are here with respect to the Vine Substation.

7 As part of that process -- again, don't want to
8 reiterate too much of this, but that transmission line project
9 allows for a looped transmission system within the midtown area,
10 ensuring that we can prevent overloads with our system, support
11 growing residential, commercial, and institutional demand, as
12 well as add redundancy to our system so that we can deliver
13 reliable energy to our customers in the midtown area.

14 Currently, this area is served by a 46-kilovolt
15 substation. Again, as referenced by the Staff Report, that
16 substation is immediately south of the proposed Vine substation.
17 That system is an antiquated system. It does not meet the needs
18 of our community for today. It was built in the '50s and, again,
19 a very-aged system that does need replacing. This is a process
20 that we are undertaking as a utility throughout our community.
21 And, obviously, as we went through this process, this is a very
22 densely-populated area of town, and so it comes with its
23 challenges. But, again, as I'll point out with respect to the
24 site selection that went through identifying the proper location
25 for this substation, the Vine location is ideal for a number of

1 reasons.

2 So, why is this substation needed? I touched on some
3 of those points. But, again, it's to expand capacity within our
4 midtown area, which -- while it may not seem like it has grown,
5 but patterns have changed over decades. We have seen growth
6 around the University of Arizona. We've seen growth within the
7 midtown area as infill has occurred. We have also seen emergence
8 of -- emergence of new technology, rooftop solar, EVs, battery
9 storage systems. This project enables the capabilities of a
10 modern electric system in midtown Tucson.

11 Also, as part of this project -- and, again, this was
12 part of the line-siting process -- we have a number of 46-
13 kilovolt substations that currently feed the midtown area. By
14 upgrading to a more-robust system, the 138kV system, we are
15 actually able to then retire a number of our aging fleet, the 46-
16 kilovolt substations that are around the midtown area, as well as
17 the infrastructure that's associated with those substations.
18 Again, the prevention of outages, ensuring that we have voltage
19 control throughout our system, ensuring that we are meeting the
20 peak demands on our system, and ensuring that we are meeting
21 existing and future load growth within our community.

22 As stated in the Staff Report, this is a GIS
23 substation, a gas-insulated system, that is not unique to our
24 system at Tucson Electric Power. In fact, we have two other GIS
25 substations relatively in close proximity to this proposed

1 substation. The Tucson substation, which is a stone's throw
2 north of here, is in an urban area and a gas-insulated system, as
3 well as the DMP, DeMoss-Petrie substation near I-10 and Grant.
4 The University of Arizona also has a gas-insulated substation on
5 its property that it owns and maintains on its own. So, again,
6 this technology is not new. We've seen it within our system.
7 And I can't emphasize the safety protocols that we ensure are met
8 in order to make sure that those -- the materials utilized for a
9 GIS are safe. I wanted to include a link to a presentation, or a
10 YouTube video, that I can think anybody can reference, but there
11 are a number of science-related videos that highlight the safety
12 of the material that's used for GIS.

13 So, with respect to the site location. Why did we land
14 on this site? There are a number of criteria that we have to
15 utilize to ensure that we have the appropriate site to place a
16 substation. Because of the uniqueness of this area of town, the
17 urban nature, and really just the density of midtown, you cannot
18 find a ten-acre parcel of land which is typical for our standard
19 substation size; which, again, is why we are utilizing the GIS
20 substation technology. Just a list of the different sites that
21 we went through to ensure that we were doing our due diligence to
22 ensure we had a correct site; again, the number of criteria that
23 we go through is listed in the application. But, ultimately, the
24 Vine Substation Site 1 is where we ultimately decided and what we
25 are proposing this evening. Just a basic location map to provide

1 a visual layout in terms of where the site is located; again,
2 west of the Banner University Medical Center, north of many of
3 the U of A facilities, and just east of a residential
4 neighborhood or residents within the vicinity.

5 So, just a little bit of layout with the Preliminary
6 Development Plan -- and, Mr. Mazzocco, I think this will address
7 your question with respect to the request that we have as part of
8 this. We are proposing a zero lot line setback on the northeast
9 and south, and maintaining the 20-foot setback on the west, and
10 including a vegetative buffer yard on that west side of the
11 substation. As noted, the proposal did go in front of the Design
12 Review Board; it was approved four to zero. And there were some
13 additional conditions that we agreed to as part of that Design
14 Review Board process.

15 I will note as well that, as part of the GIS
16 configuration for the substation, there is a canopy that's
17 required to enclose the GIS equipment. The 25-foot height of
18 that canopy is in compliance with the R-2 zone. Additionally,
19 the 13.5-foot wall -- perimeter wall that is around the
20 substation is in -- it complements the existing wall of the UA
21 substation that is directly south.

22 So, a little bit more context on the adjacent uses;
23 again, this was identified in the Staff Report. There is a U of
24 A facility just to the north. I will state for the record that
25 the U of A did submit a letter of support for this proposal. We

1 have worked very closely with the U of A, as well as all of the
2 neighboring residents and stakeholders as part of this project.
3 To the west is the University -- the Banner medical facility;
4 again, there is a letter of support from Banner as part of this
5 application. To the south, there is the existing substation that
6 is in use. And to the west are the residential units. I think
7 it's pretty clear, the zoning characteristics, we are in the R-2
8 zone, and U of A medical PAD to the west as well.

9 It may be a little bit difficult to see these photo
10 simulations from afar; but, again, they are part of the record.
11 But, again, the simulations provide a visual representation of
12 what the proposed substation will look like at build-out. This
13 is looking northeast at the substation, or north I should say
14 along Vine. This is looking south. You can see the Banner
15 facility behind the substation to the west -- or, excuse me -- to
16 the east. And, again, the 20-foot vegetative setback was -- had
17 gone through the Design Review Board process and approved. And,
18 finally, just another conceptual visual representation of the
19 substation.

20 So, in closing, I want to point out again the history
21 behind this site, this substation. The application that has been
22 submitted for review for the Zoning Examiner is technically
23 identical to what we had submitted in 2021. Which, again, at
24 that time, the Zoning Examiner had deemed that it had -- it had
25 met the conditions and requirements necessary as part of the

1 Special Exception Land Use process; but, again, due to the fact
2 that there was not an approved line at that time, the Zoning
3 Examiner denied, without prejudice, the request; which, again, is
4 why we are here this evening after we have received approval for
5 the Midtown Reliability Project.

6 Again, with respect to the Staff recommendations for
7 approval, we are in full agreement with Staff's Report, as well
8 as the Preliminary Conditions that are a part of the record.

9 Just a brief outline with respect to the timeline. We
10 are in that January time frame. We expect construction by 2028,
11 and in service by 2029. I will state, though, maybe going back a
12 little bit further, that the outreach for this project -- again,
13 with the prior application -- dates back to 2021, and has been
14 part of the conversation with respect to the Midtown Reliability
15 Project. There has been, I would say, ample dialogue around this
16 project. But, particularly with this substation request, I think
17 it's important to recognize that the Special Exception Land Use
18 Permit being requested is specific to the substation.

19 With that, I will take any questions. And I appreciate
20 your time.

21 ZONING EXAMINER: Okay. You know, like at the
22 beginning of the meeting, I was telling everyone this is a
23 decision that's made by the Zoning Examiner, and there's a
24 section in the -- Article 3 of the Unified Development Code, the
25 Zoning Code, that talks about findings, and the fifth finding is

1 compliance with the General Plan. What is your reasoning that
2 this particular application is in compliance with the General
3 Plan?

4 MR. EDDY: I think, Mr. Mazzocco, the -- the
5 recommendations or the outline that was provided by Staff that
6 highlight the compliance with the General Plan, Plan Tucson,
7 really highlight the need to ensure that we are providing robust
8 infrastructure for our community that meets existing needs for
9 our community, but also future needs for our community. Again, I
10 think with respect to ensuring that we are being mindful of our
11 surroundings, and ensuring that we find a site that is compatible
12 with existing land uses, this project meets that requirement of
13 Plan Tucson. I, again, noted that there is an existing
14 substation already to the south of this site. And so it is a
15 compatible use with the existing use that is already there.

16 ZONING EXAMINER: So, I was looking at some of the
17 letters that have been presented; one of them talked about why
18 isn't -- why don't put a use like this is an industrial area?
19 What's your response to that?

20 MR. EDDY: So, I might go back to the site
21 selection map. I had stated earlier that this is a very unique
22 area of our city. The midtown area has a breadth of history for
23 our community, and it is an area that has a mixture of uses, from
24 institutions, to medical, to commercial, to residential. And so
25 ensuring that we can identify a site that meets the needs of not

1 just our customers, but also to ensure that we are integrating
2 this substation into our system, that it can maximize the
3 benefits to provide -- and provide the infrastructure necessary
4 to convert from an older system to a newer system, to build
5 reliability within our system, this ultimately was the best site
6 to propose, this location. There --

7 ZONING EXAMINER: So, you're familiar with all of
8 your substation sites in the city would you say?

9 MR. EDDY: So, that is a very good question, Mr.
10 Mazzocco. So, we have -- I think this statistic was provided to
11 me earlier -- there are a little over 30-plus 138kV, kilovolt,
12 substations that we operate as a utility. And I may need some
13 help, but there are roughly -- I think the number was nine. I
14 can -- if you let me come back for my rebuttal, I can get the
15 statistic --

16 ZONING EXAMINER: Okay. And --

17 MR. EDDY: -- but there are number of substations
18 of this characteristic that are in residential areas. I noted
19 the Tucson Substation just north of City Hall is in a residential
20 area -- or adjacent to residential uses obviously, right?
21 There's a mixture of uses to the south and to the west, but there
22 are residential uses to the north.

23 ZONING EXAMINER: So, even the Zoning Code allows
24 substations in residential zones under certain circumstances.

25 Okay.

1 There was some discussion -- and maybe you've covered
2 this too, but the -- the term I've heard is a gas -- it's SF gas
3 I think it's called?

4 MR. EDDY: SF6.

5 ZONING EXAMINER: SF6 gas; is that the GIS
6 technology you're talking about?

7 MR. EDDY: That is correct.

8 ZONING EXAMINER: And there were some concerns
9 about that. And you were -- your presentation, you're saying
10 that's a safe technology?

11 MR. EDDY: It is. And I -- I may call upon our
12 engineer if there's some additional details that are necessar- --
13 necessary regarding the safety of this technology. But, I stated
14 earlier that this is a form that we've utilized in other
15 substations within our -- within other substations that we --
16 that we operate, including the substa- -- the Tucson Substation
17 that isn't too far from here.

18 So, the reason why GIS is needed for this site in
19 particular is because of the size constraints for the parcel
20 itself. I mentioned earlier that our typical size of a 138kV
21 substation is roughly around ten acres. Due to the density of
22 this area of town, you need a much smaller footprint in order to
23 fit the equipment necessary -- the electrical equipment necessary
24 to then provide the distribution lines that then go out and serve
25 residential and commercial customers.

1 ZONING EXAMINER: And has TEP ever had an accident
2 with this technology?

3 MR. EDDY: We have not.

4 ZONING EXAMINER: Has any other community that
5 you're aware of?

6 MR. EDDY: Not that I'm aware of. And I will say
7 that the -- for the substations that we operate with this
8 technology, the GIS technology, they are monitored 24/7. Safety
9 is obviously of utmost importance for us as a utility. We work
10 with a commodity that kills. And so ensuring that we have a safe
11 product is our number one priority. So, there is significant
12 monitoring and compliance that's necessary in order to ensure the
13 safety of that site, but also the surroundings around us.

14 ZONING EXAMINER: So, you monitor this technology?

15 MR. EDDY: That is correct.

16 ZONING EXAMINER: And how -- could you just give
17 me a -- you know, a layman's version of how you monitor it?

18 MR. EDDY: Going to invite up Alberto, who is our
19 T&D Manager overseeing substations, who can provide the --

20 ZONING EXAMINER: Okay.

21 MR. EDDY: -- more engineering-related response to
22 that.

23 ZONING EXAMINER: And in a layman's version. And
24 name and address for the record.

25 MR. QUINONEZ: Yes, sir. Yeah. So, just a little

1 history right to --

2 ZONING EXAMINER: Well, name and address for the
3 record.

4 MR. QUINONEZ: Oh, Alberto Quinonez. I work for
5 Tucson Electric Power.

6 ZONING EXAMINER: Okay.

7 MR. QUINONEZ: The Tucson station, which is the --
8 the GIS that we currently have at DMP, that GIS got installed in
9 2- -- 2011. It comes with the GIS, the SF6 gas, which is what --
10 it's insulating your face-to-face. We have not had any issues
11 with it. We monitor how much is in the chambers, right? And
12 then we have monitors per chamber to make sure with their safety,
13 right? Talking about safety, there is triple seals on this,
14 right? So, you got a chamber with an SF6. And then there's an
15 empty chamber that if it actually -- by any chance it clears that
16 seal, right? We have a monitor that tells us that the SF6 is
17 exiting. And then there's an additional seal that doesn't let it
18 go out in the -- in -- like into the -- nature I guess you can
19 say, but --

20 ZONING EXAMINER: Would you say this is constantly
21 being monitored?

22 MR. QUINONEZ: Yes, sir.

23 ZONING EXAMINER: So, somebody's at a computer and
24 would get some kind of flashing light or whatever --

25 MR. QUINONEZ: Yes, sir.

1 ZONING EXAMINER: -- saying there's an -- there's
2 an issue?

3 MR. QUINONEZ: Yes. Yeah, it comes -- each
4 chamber comes with its own monitor.

5 ZONING EXAMINER: And you would say that's 24/7?

6 MR. QUINONEZ: Yes, sir.

7 ZONING EXAMINER: Okay, okay. Thank you.

8 MR. QUINONEZ: Yeah.

9 ZONING EXAMINER: There were some issues regarding
10 noise and lighting; could you talk about that?

11 MR. EDDY: Good question. So, with respect to
12 lighting, we do have security lighting at all of our substations.
13 And so in the event that a substation needs maintenance, or if
14 there is any security concern within that substation site, that
15 lighting will be utilized to ensure that our crews can have
16 visibility within the substation site; otherwise, there is no
17 security -- or 24/7 lighting within the substation.

18 With respect to noise, I know we are in compliance with
19 all noise requirements within the zone. And I may -- again,
20 Alberto, do you want to address this?

21 MR. QUINONEZ: Yes, we -- we are, right? So, the
22 highest noise, it will be out of the transformers, but we expect
23 those -- those transformers to be additional quiet, right? I
24 believe we meet 40 feet -- 40 decibels, right? So, it -- this
25 actually gets tested not only in the factory, right? But it's

1 part of our spec that when we work with any transforming
2 manufacturer, they have to meet that, right? If it doesn't, then
3 they got to redesign and give us that accurate, right?

4 ZONING EXAMINER: So, you're aiming at 40
5 decibels?

6 MR. QUINONEZ: Yes, sir.

7 ZONING EXAMINER: So, 40 decibels, the way I
8 understand it, that's less than the sound of a human voice
9 without a microphone.

10 MR. QUINONEZ: Yes, sir.

11 ZONING EXAMINER: And the Excessive Noise
12 Ordinance in the City of Tucson allows for 70 decibels dB(A).

13 MR. QUINONEZ: Yes, sir.

14 ZONING EXAMINER: So, you're way below that?

15 MR. QUINONEZ: Yes.

16 ZONING EXAMINER: And you have the wall. So, the
17 40 decibels is within the wall or outside the wall?

18 MR. QUINONEZ: Within the wall.

19 ZONING EXAMINER: Within the wall?

20 MR. QUINONEZ: Yes, sir.

21 ZONING EXAMINER: Okay. And you have -- you're
22 talking about 13.5-foot wall?

23 MR. QUINONEZ: Yes.

24 ZONING EXAMINER: Okay.

25 MR. EDDY: That's why we bring the engineers.

1 ZONING EXAMINER: Okay. So, the way you're
2 looking at this Special Exception, it's for the distribution
3 point, the -- the substation, full stop, correct?

4 MR. EDDY: That is correct, Mr. Mazzocco. So, the
5 way in which substations operate is there is a transmission
6 interconnect that drops voltage into the substation; and, at that
7 point, from that substation, there is lower voltage distribution
8 lines that then go out to serve customers within the service
9 area, the vicinity of that substation.

10 ZONING EXAMINER: Okay. So, you have a
11 distribution point and then you have conveyance. What do you say
12 to the neighbors that have concerns about the conveyance system;
13 that without this distribution point, the conveyance system
14 doesn't have anything to convey?

15 MR. EDDY: So, I will state again that the
16 transmission line that will serve this substation has been
17 approved; that has gone through a rigorous approval process at
18 both the state level and the local level and that case has been
19 decided.

20 What -- for this substation, right, there is a
21 distribution point. There is a network of distribution lines
22 that already exist within the vicinity of this substation. The
23 improvements that we are able to provide as part of this
24 substation allows for increased redundancy and reliability within
25 the system that already exists in the midtown area.

1 So, I -- I -- I think it's really important to note
2 that as part of this substation, the distribution conveyance,
3 right, that it -- that is what ensures the reliability of our
4 system. It allows us to upgrade and increase capacity to provide
5 a more-reliable system within the midtown area around Vine.

6 ZONING EXAMINER: So, you already have a
7 transmission system that's existing, correct?

8 MR. EDDY: It has been approved. That line has
9 not --

10 ZONING EXAMINER: It has been approved.

11 MR. EDDY: -- the --

12 ZONING EXAMINER: It hasn't -- okay. So, it's not
13 built yet.

14 And what is -- what is your company's view -- that
15 seems to be a very big view out there -- of underground
16 installation of the transmission lines? What's the -- what's --
17 where's the holdup there that that's -- you can't do it or you
18 argue that you can't do it or however you want to phrase it?

19 MR. EDDY: So, that was a very significant topic
20 that was discussed as part of the line-siting process that went
21 through that ACC-regulated process and that was approved.

22 With respect to the City and its ordinances -- what I
23 may bring back up here -- so as part of the record from the City
24 during the line-siting process, the -- and I'm going to get my
25 notes out on this -- they found that the line was in compliance

1 with both the General Plan and Area Plan, but it is the Gateway
2 ordinances that needed to be addressed through a City process.
3 In 2023, the Mayor and Council had established an exception
4 process that an applicant, like TEP, could go through to get
5 relief from the underground requirement that is a part of the
6 Gateway ordinance.

7 As part of the approved transmission line, there were
8 three crossings that the approved route needed to get some type
9 of relief. Tucson Electric Power submitted and went through a
10 Zoning Examiner process to seek relief for those three crossings
11 at Oracle and Grant, at Broadway and Euclid, and Kino and 36th.
12 Mayor and Council approved those exceptions for the Oracle-and-
13 Grant crossing, as well as the Kino-and-36th crossing. The
14 Broadway-and-Euclid crossing we agreed to underground as part of
15 that Gateway ordinance.

16 ZONING EXAMINER: Do you look at this -- the
17 transmission line as not part of this application?

18 MR. EDDY: I believe it plays a part. But, in
19 terms of the approval, that line has gone through a rigorous
20 public process to get approval that --

21 ZONING EXAMINER: Can I stop you there?

22 MR. EDDY: Yeah.

23 ZONING EXAMINER: You -- you mentioned state and
24 local. Could you talk a little bit about the local approval
25 process?

1 MR. EDDY: So, as part of the line-siting process,
2 there was extensive public outreach as part of that process. So,
3 the establishment of a neighborhood -- neighborhood advisory
4 committee, multiple neighborhood meetings, stakeholder
5 engagement, which included a number of neighborhoods, as well as
6 City representatives as part of that process.

7 So, I would say that from a local engagement process --
8 local government, City of Tucson engagement, there was engagement
9 from the City during that process. The City was an intervenor in
10 the line-siting case and had provided testimony as part of this
11 line-siting case; and that is all part of the record for that
12 case. But, I think specifically with the approvals that were
13 necessary by the City, the exceptions for the Gateway crossings
14 are what apply for City approval.

15 ZONING EXAMINER: The process you went through,
16 did it cause -- or did it involve any underground other than the
17 Gateway at -- at Broadway?

18 MR. EDDY: No. For the transmission line?

19 ZONING EXAMINER: Transmission line. I'm sorry.

20 MR. EDDY: No.

21 ZONING EXAMINER: So, only -- the only underground
22 that you've done is at the Gateway at Broadway -- and I can't
23 remember the other street --

24 MR. EDDY: Euclid.

25 ZONING EXAMINER: -- Euclid? That's where you did

1 underground?

2 MR. EDDY: That's correct.

3 ZONING EXAMINER: And that was because it
4 specifically called out in the Unified Development Code that at a
5 Gateway you're supposed to be underground?

6 MR. EDDY: That's correct.

7 ZONING EXAMINER: But, otherwise, the rest of the
8 city, you don't see any strong encouragement from any of the
9 local laws or policies to do underground?

10 MR. EDDY: For our transmission system, we are not
11 -- we do not underground transmission lines within our system.
12 We do have an extensive network of underground distribution
13 lines. And, again, I -- I -- this -- this is not necessarily
14 part of this case, but I -- I will reference that as part of the
15 Midtown Reliability Project -- and, again, it is part of the CEC
16 findings -- the distribution lines that are along the corridor of
17 the approved transmission line, we are -- will be undergrounded
18 to ensure that there is minimal visual impact; but, also, again,
19 the nature of the right-of-way that we are working with along
20 that route, undergrounding that distribution system that is along
21 that route was a good compromise.

22 ZONING EXAMINER: And I'm at a loss a little bit
23 there as far as what's above and what's below. So, there's a
24 thing called a distribution line. And is there a thing called a
25 transmission line or are they the same thing?

1 MR. EDDY: Two different voltages, yes.

2 ZONING EXAMINER: And so it's a voltage issue.

3 MR. EDDY: Yeah, the -- the higher capacity, the
4 138-kilovolt transmission is a higher-capacity line, a much
5 higher voltage that we utilize to essentially move larger loads
6 of energy around our system. It is a lower voltage distribution
7 system that then serves our homes and businesses and other
8 institutions.

9 ZONING EXAMINER: So, the lower voltage
10 distribution you are putting underground, but the higher voltage
11 is above ground --

12 MR. EDDY: That's correct.

13 ZONING EXAMINER: -- in the transmission lines?

14 MR. EDDY: That's correct.

15 ZONING EXAMINER: Is this -- is this approach that
16 you're doing, is that pretty common in other large metropolitan
17 areas?

18 MR. EDDY: We have seen areas of our system where
19 we have undergrounded distribution lines that may be in conflict
20 with our transmission line routes. And so -- again, I can't name
21 direct locations. I think there's -- or there's some areas of
22 Pantano that distribution lines have been undergrounded that are
23 along a same corridor of a transmission line. There are areas
24 along Sunrise Road. If you drive up north of town, there is an
25 entire stretch of Sunrise Drive where the distribution lines were

1 undergrounded and the transmission was built overhead.

2 ZONING EXAMINER: Okay, okay. I don't think I
3 have any more questions, Mr. Eddy. Thank you for your
4 presentation.

5 MR. EDDY: Thank you, Mr. Mazzocco.

6 ZONING EXAMINER: Okay. At this point, I'm going
7 to call on the audience. I apologize if I mispronounce your
8 name.

9 So, the first speaker is Jeanne Calhoun. Name and
10 address for the record, Ms. Calhoun.

11 MS. CALHOUN: Yes. Good evening, Jeanne Calhoun.

12 ZONING EXAMINER: Go ahead.

13 MS. CALHOUN: My address is 1844 North Vine
14 Avenue. I'm a member of the Jefferson Park Neighborhood
15 Association Board as well.

16 So, our home is 220 feet north of the proposed expanded
17 Vine Substation in the Jefferson Park Historic Neighborhood.
18 Only the University of Arizona Recycling Center is between us and
19 this industrial TEP substation. And this facility, the -- the
20 Recycling Center, is likely to be removed in the future. The
21 huge TEP structure will loom over our house; lighting from the
22 facility will penetrate our home; and the sounds, sight, and the
23 potential gas emissions will directly affect us.

24 TEP -- TEP has not been able to get approval of the
25 substation -- TEP has not been able to get approval for the

1 substation, or for the immense overhead power lines that would go
2 to and from it, and is trying an end round around permitting
3 requirements. Allowing this huge facility to be built in a
4 historical residential area would impact the quality of life for
5 all residents. TEP claims that increased power demand from
6 Jefferson Park is adding to the need for this facility; however,
7 it is the new Banner Hospital and the new huge buildings on the
8 University property that are causing the power need. TEP refuses
9 to underground even a portion of the huge power lines that would
10 go through the neighborhood, claiming that the neighborhood
11 should pay for undergrounding. But we are not the cause of this
12 power need.

13 Please deny this exception request and recognize that
14 it's only the elephant's trunk under the tent. Thank you.

15 ZONING EXAMINER: Okay. Thank you, Ms. Calhoun.

16 Next, Rosemary Bolsa (ph.).

17 MS. BOLSA: My name is Rosemary Bolsa. I live at
18 1432 East Lester Street. I am within 400 feet of the substation.
19 I am on the Board of the Jefferson Park Neighborhood Association.

20 And I have some pictures that I would like to share
21 with you --

22 ZONING EXAMINER: Okay.

23 MS. BOLSA: -- and I will --

24 ZONING EXAMINER: Are you submitting those for the
25 record for us?

1 MS. BOLSA: Yes, please. Yes.

2 ZONING EXAMINER: Okay.

3 MS. BOLSA: And if you'll give me a moment, I will
4 put the PowerPoint so the audience can see.

5 ZONING EXAMINER: Have you checked with our Staff
6 to get that to work or you're just going to read your own
7 PowerPoint?

8 MS. BOLSA: I don't -- I wasn't sure what the
9 technology was. I do have a flash drive, but I don't know if
10 that'll work. I --

11 ZONING EXAMINER: Well, you know, you only five
12 minutes. So -- so you can read your PowerPoint to me and I'll
13 accept that. And if you want to submit that to Staff --

14 MS. BOLSA: I will.

15 ZONING EXAMINER: -- later on, then I can take a
16 look at it, okay?

17 MS. BOLSA: Okay. So, the -- well, I'm sorry, I
18 -- the -- the first part is the part on Vine --

19 ZONING EXAMINER: Okay.

20 MS. BOLSA: -- does not look worrisome -- and I
21 have the wrong one here, but I will email it to you.

22 ZONING EXAMINER: Okay.

23 MS. BOLSA: So, the first picture would be what we
24 would see from Vine, but the substation will take the whole block
25 and it will front on Ring Road. And if you look on Ring Road,

1 the first picture is of a natural gas compression station --

2 ZONING EXAMINER: I see it.

3 MS. BOLSA: -- and so that could be a hazard.

4 Then, the next picture is the University's gas-powered
5 electrical generating plant, and from Ring Road it doesn't look
6 too alarming. You just see the steam turbines. But, then if you
7 go inward where it's by -- so you don't usually walk through
8 there, but what you see is the back of that electric generating
9 station and there's a lot of pipes with flammable gas and that --
10 it's only an alley across from the Banner -- one tower. So,
11 already it's a hazard if something happens to the -- at that sta-
12 -- if there's an explosion, the entire hospital might have to be
13 evacuated; and it is the only level-one trauma center for
14 Arizona.

15 And the other hazard is that the helicopters fly to the
16 roof of the Banner Hospital. So, if you have these high-voltage
17 lines above this station, it is possible that the helicopters
18 could catch on it. Most of the -- the medical helicopter pilots
19 are very skilled. I watch them land on the roof of the hospital
20 from my bedroom window and I'm impressed. They slide in there,
21 and they slide out. But helicopters come from all over the
22 southwest. And just on Wednesday, one came from the border with
23 a critical patient. These helicopter pilots are not as familiar,
24 and it is possible that that -- the high-powered voltage lines up
25 high are a hazard. So, I feel that this is a real safety concern

1 that is a threat not only to my own life and property, but it
2 could be a mass casualty event.

3 And this -- there are other places -- and the Jefferson
4 Park neighborhood really has gone to these meetings and worked.
5 And so the next picture you'll see there is -- again, the gas-
6 powered compression -- but the next picture is when we worked
7 with Southwest Gas and they enclosed that compression system so
8 it's much safer. It's free -- it's protected from vandalism,
9 from accidents and --

10 ZONING EXAMINER: Can I ask you to -- a little
11 quicker -- you know, you're past your five, but I'm going to let
12 you finish all your pictures, okay?

13 MS. BOLSA: So, I -- I would ask that you deny
14 this and have -- it needs different -- they need to underground
15 those lines or move it somewhere where it's not a hazard to the
16 entire trauma center. Thank you.

17 ZONING EXAMINER: Okay. Thank you.

18 Next, is Randy Hotchkiss.

19 MR. HOTCHKISS: Good evening. Randy Hotchkiss,
20 1945 East Mabel Street, 85719. I am a Tucson native, U of A
21 alum, small business owner. I have a degree in finance and area
22 development, city planning.

23 I'm encouraging the Mayor and Council and the Zoning
24 Examiner to turn this request down. TEP has been -- they're not
25 a good citizen of Tucson -- the City of Tucson. They have fought

1 the neighbors tooth and nail on the undergrounding issue. The
2 University of Arizona Area Plan requires undergrounding. The
3 City of Tucson Development Plan requires undergrounding in this
4 area. Excuse me.

5 Many cities, such as Albuquerque, San Antonio, San
6 Diego, Chandler even, have required undergrounding and have
7 gotten undergrounding done. What they've done in those areas is
8 they formed a partnership with federal, state, local partners, to
9 help defray some of the costs of undergrounding. TEP has not
10 done anything in that regard. They could care less about what we
11 think, about what we want.

12 ZONING EXAMINER: You said Chandler --

13 MR. HOTCHKISS: I did.

14 ZONING EXAMINER: -- San Diego, and what was the
15 other city?

16 MR. HOTCHKISS: Chandler, Arizona.

17 ZONING EXAMINER: Yeah, you said Chandler.

18 UNIDENTIFIED MALE: Albuquerque.

19 MR. HOTCHKISS: Albuquerque --

20 ZONING EXAMINER: Albuquerque.

21 MR. HOTCHKISS: -- Albuquerque, San Antonio, San
22 Diego. I could go to the east coast, but I think I've made --
23 made enough -- all of France is underground. TEP has fought us
24 tooth and nail. I've been to all of these meetings out at the --
25 the hotel out on Broadway and Alvernon.

1 I'm not even going to get into the health hazards of
2 aboveground transmission lines, but it has been proven -- case
3 studies proven, without fault, the health hazards, especially for
4 children, leukemia. It's a hazard with living close to those
5 power lines. The power coming down is causing harmful effects.

6 I won't get into the property value drop, but that's
7 another issue. It's been proven that property values drop with
8 overhead lines all over the neighborhood. So, I'm --

9 ZONING EXAMINER: And you're saying -- again, I
10 just want to make this clear -- you're saying the aboveground
11 transmission is a health hazard?

12 MR. HOTCHKISS: Absolutely.

13 ZONING EXAMINER: Okay.

14 MR. HOTCHKISS: And if you want to Google it, go
15 ahead, or I could send you the studies if you want to have them.

16 So, my closing comment is that -- as a Tucson native, I
17 love this community. I love the historic neighborhoods. I love
18 our scenery. I love our streetscapes. I hate to see them
19 destroyed with what TEP wants to do with overhead power lines.

20 And so I'm -- I'm -- not only the Vine station I'm
21 opposed to, big time, but the whole -- the whole issue of
22 aboveground power lines in this part of town. Industrial, okay.
23 But not in this part of town. Thank you.

24 ZONING EXAMINER: Thank you. So, there's not a
25 second Jeanne Calhoun here, correct? Okay. 'Cause I had two.

1 Okay.

2 And -- and do you want to go? You just put in a slip
3 there?

4 MR. DEMPSEY: I did.

5 ZONING EXAMINER: Do you want to go get that?
6 Okay. So, the next one is Daniel Dempsey.

7 MR. DEMPSEY: Good evening, Mr. Mazzocco. My name
8 is Daniel Dempsey with Underground Arizona.

9 We submitted detailed written comments. So, I'm not
10 going to go over that, every single detail again. But I wanted
11 to say a couple things in response to what TEP said earlier. So,
12 we support the project. We do support ignoring City plans. The
13 U of A has told us that they support the project, but also do not
14 support ignoring City plans. Banner said the same thing under
15 oath before the ACC. So, when TEP -- when you read the letters
16 from Banner or from the University of Arizona, read them very
17 carefully, because I imagine they're not saying what you think
18 they're saying or as they've been presented.

19 So, there's a couple things here. I'm going to jump
20 around. So, TEP applied for Vine without ACC approval in 2021,
21 as they said, because it did not believe it was a prerequisite to
22 the City process. PDSO recommended approval in 2021 for the same
23 reason; because the ACC process has nothing to do with this
24 process. Zoning Examiner Iurino -- is that how you say it,
25 Iurino? -- denied the application because it was not compliant

1 with City plans. It was possible the ACC process could make a
2 compliant project; however, the ACC did not do so. Zoning
3 Examiner Iurino was looking at how lines impact the
4 neighborhoods. The project remains as noncompliant today as it
5 was five years ago.

6 In 2020 -- in 2023, TEP sued the City to invalidate the
7 undergrounding requirements of its plans and ordinances; and lost
8 in 2024. TEP has been fighting to ignore our laws for years and
9 this application is no different. And another correction I want
10 to make is TEP did not agree to underground Broadway and Euclid;
11 it was forced to because it lost.

12 All right. So, just in summary, one cannot reasonably
13 find that TEP's application meets the Special Exception
14 requirements of UDC 3.4.5. As such, the application must be
15 denied. The only realistic way for the project to be approved is
16 for TEP to underground the new transmission lines where required
17 by City plans. The many excuses and roadblocks fabricated by TEP
18 over the years have failed to withstand basic due diligence.

19 Other Arizona electric utilities in Chandler, in Tempe,
20 in Phoenix, and more adjacent to ASU in Tempe -- so, if you -- if
21 you know Tempe, you have -- immediately adjacent to -- to Tempe
22 is Tempe Town Lake -- or to ASU is Tempe Town Lane -- there were
23 transmission lines there. APS undergrounded those transmission
24 lines and you saw a boom in infill development. It's the same
25 thing here. There's no reason why we can't do it here. It's

1 only two miles. There they did eight miles. In downtown
2 Phoenix, they did 14 miles; again, all at the utility's expense.
3 You don't need outside payments. You don't need any -- any
4 bizarre things that TEP makes up.

5 So, in conclusion, please follow the decisions of prior
6 Zoning Examiners, the will of the people as expressed in our
7 duly-adopted plans and ordinances, and deny this application.
8 Thank you.

9 ZONING EXAMINER: John E. Schwire (ph.)?

10 MR. SCHWARZ: Hi, my name is John Schwarz. My
11 address is 3720 North Camino Leamaria, Tucson. I'm on the
12 Steering Committee of the Tucson Neighborhood Undergrounding
13 Coalition. I don't live anywhere near to this project. In my
14 view, this is a community issue, as well as an issue for the
15 surrounding neighborhoods.

16 We -- as the previous speaker just said, we also
17 support the project in the sense that the upgrading of
18 electricity is needed, but we think that the project should be
19 constructed underground, certainly within the University Area
20 Plan. So that we request, if you do approve TEP's petition for a
21 zoning exception for the Vine Sub- -- Vine Substation, you
22 approve only on the condition that the transmission lines to and
23 from the substation within the University Area Plan be placed
24 underground.

25 We've submitted the -- Staff didn't mention, but we

1 have submitted a memo to you about a week and a half ago from the
2 Tucson Neighborhood Undergrounding Coalition, and it -- it covers
3 many of these points and others as well. There's only one
4 compelling reason for the Vine Substation expansion -- and, thus,
5 also for TEP's petition for a Special Zoning Exception -- that
6 reason is to provide upgraded power served by this Vine
7 Substation to the -- to the customers served by the Vine
8 Substation. This is TEP's stated main reason for connecting the
9 transmission lines of its Midtown Reliability Project between
10 36th Street and DeMoss-Petrie to the Vine Substation. The masses
11 of tall poles and transmission lines coming into and out of the
12 Vine Substation are, therefore, an indispensable, if unstated,
13 component of the petition for a Special Zoning Exception. The
14 Vine Substation lies within the territory of the City
15 University's Area Plan, which specifies that all new utilities
16 should be placed underground whenever possible or suitably
17 shielded. There's no way to shield these particular poles. The
18 new Plan Tucson or City -- City's General Plan says much the
19 same.

20 Tucson's Unified Development Code, at 3.4.5.A, states
21 that in permitting a Special Zoning Exception, the Zoning
22 Examiner must assure that such exceptions comply with the General
23 Plan and any applicable area plan. The essential and only
24 compelling purpose for TEP's request for a Special Zoning
25 Exception conflicts with this requirement of the City's UDC.

1 Meaning, the lines must be placed underground within territory
2 covered by the University Area Plan.

3 TEP answers with several other claims, all of which are
4 refuted in the memo that we sent to you and that we hope you have
5 received. If you haven't, I hope you'll let us know. Among
6 them, the idea that distribution line poles will be
7 undergrounded. This is not something that I would count on. TEP
8 may decide to do it, but that doesn't mean other companies won't
9 decide to erect power poles to serve their purposes -- their own
10 purposes. The project is also feasible financially.

11 And so request that -- that you do not approve this
12 Vine Substation unless there's the specific condition that
13 undergrounding take place within the University Area Plan. Thank
14 you so much.

15 ZONING EXAMINER: Rosemary Bolsa, you already
16 spoke so -- Aaron Paxton.

17 MR. PAXTON: All right. Aaron Paxton, 1316 East
18 Elm Street. I live within about 500 feet or so of the proposed
19 substation. I'm part of the Desert Mallow Neighborhood
20 Association, right? So, we're a growing neighborhood
21 association. I love my neighborhood.

22 TEP clearly doesn't give one iota about Jefferson Park
23 or Desert Mallow really at all. They claimed that they seeked
24 input -- and I was part of these groups -- but if you go poll
25 those neighborhoods -- which they're not chalking out any results

1 here from -- from that group input, but pretty much -- I'm not
2 going to say it's unanimous, but most of those neighborhoods
3 involved in that discussion wanted TEP to go underground
4 throughout the whole line route, at least most of the ones --
5 most of the route that was going through the midtown portion of
6 the city.

7 Now, what they're proposing, especially in my
8 neighborhood, is to go down Adams Street, right? And Adams
9 Street is not a big street. I encourage you to go visit it
10 sometime and see how big that is. Now, under what they are
11 seeking for their 138kV poles, those can be up to 120 feet. They
12 can. And that's -- that's within what they've asked for for
13 approval. Now, 120 -- 120-foot poles down Adams Street is going
14 to stick out no matter what you do about distribution lines and
15 putting those underground; so I want that to be very clear.

16 TEP doesn't care about UAP. They don't care about any
17 of the City plans. They're trying to get what they want. That's
18 all they care about. I contested this with Mr. Eddy a while back
19 and I said this isn't a done deal -- this is months ago -- and he
20 told me it was. And that shows the arrogance of TEP.

21 Now, TEP is a part of a multi-conglomerate organization
22 called Fortis, a Canadian company. So, I ask you here: Who
23 works for who here? Because right now it seems like TEP is under
24 the impression that the City of Tucson works for them. And so I
25 would -- I would stress here that this corporation should be

1 working for us, for our community.

2 So, I ask that you deny it, much like what John and Dan
3 said. But, if you are going to approve it, we need to make them
4 go underground. Thank you.

5 ZONING EXAMINER: Betsy Larson.

6 MS. LARSON: Thank you for having us here today.
7 My name is Betsy Larson. I'm at 820 North 6th Avenue. I'm
8 President and representative of the West University Neighborhood
9 Association.

10 I strongly encourage the Zoning Examiner to deny TEP's
11 request for a zoning exemption today. As presented, TEP's
12 Midtown Reliability Project and Vine Substation are noncompliant
13 with City code, area plans, and our Historic Zoning Overlay.
14 These include Plan Tucson, University Area Plan Section 6,
15 Guideline 6, and the West University Historic Preservation Code,
16 UDC 5.8.9.L.4.

17 So, now, thinking back to the zoning decision of 2021.
18 We, West University, still does not have a detailed map on how or
19 where historic properties will be affected from the newly-
20 selected route. PDSD, Planning Services, does not have a map
21 either, nor do any property owners in West University. We have
22 not been given any detailed maps of pole placement, line sag and
23 sway distances over roofs and private historic properties.
24 Without this information, how we can -- how can we determine that
25 TEP's in compliance with this UDC Code?

1 I encourage you to walk Euclid between 6th Street and
2 Speedway. Sidewalks are narrow and historic homes are abutted
3 tightly against the west side of Euclid where this proposed pole
4 and lines are going to be placed. Pole placement and wires above
5 crowded properties may not only violate our HPZ, but prevent much
6 needed infill for future generations.

7 Over the last six, seven years, the community behind
8 me, and countless other advocates not here today, have fought the
9 good fight to ensure the integrity and the intention that our
10 city's law stay intact against corporate greed. TEP has
11 continually failed to be transparent and honest with our
12 neighborhood, from working groups that pitted neighborhoods
13 against one another, to mass disinformation campaigns. TEP has
14 created confusion and distress in the community.

15 Please hold TEP accountable to our laws and deny this
16 zoning exemption request. Tucson deserves better. Thank you.

17 ZONING EXAMINER: Okay. That was the last speaker
18 that I had a card for. Is there anyone else who would like to
19 speak who didn't submit a card? Okay. I'll take that as no.

20 So, Mr. Eddy?

21 MR. EDDY: Thank you, Mr. Mazzocco. I think in
22 closing with my comments, I think it's important to note that the
23 case that the Zoning Examiner is reviewing and deciding this
24 evening is in regards to the Vine Substation and ensuring that it
25 meets the legally-binding UDC.

1 The application that we've provided and submitted to
2 the City of Tucson is in compliance with the UDC, the performance
3 criteria that are outlined in 4.9.11.A, and meets the Preliminary
4 Conditions that have been outlined by Staff. Additionally, the
5 request is in compliance with the -- Tucson's General Plan, as
6 well as the University Area Plan.

7 And, again, with respect to the Midtown Reliability
8 Project and the proceeding that that project -- that process went
9 through has been decided; that line, the certificate of
10 environmental compatibility has been approved, irrespective of
11 any substation; yet, TEP will comply with the CEC.

12 Not having the Vine Substation means that critical
13 customers, like the University of Arizona, Banner, and the
14 numerous residential and commercial customers that are in and
15 around the area of the Vine Substation, will not have the
16 benefits of higher capacity and more reliable power that this
17 project, this substation, not the line, the project that is being
18 proposed this evening. Even if the MRP, the Midtown Reliability
19 Project, was constructed underground, you would still need to
20 have a substation; and that is the Vine Substation that we are
21 proposing this evening.

22 And I truly appreciate your consider- -- consideration,
23 Mr. Mazzocco, on this hearing. And, again, we'll address any
24 questions that you may have.

25 ZONING EXAMINER: One of the last speakers --

1 matter of fact, the last speaker -- and I think a couple of other
2 speakers have talked about -- can TEP tell us where the poles are
3 going in relationship to historic neighborhoods; is that
4 something you can do or you can't do?

5 MR. EDDY: So, what was approved by the Arizona
6 Corporation Commission, in consultation with the City of Tucson
7 and numerous stakeholders that were a part of that line-siting
8 process, approved a route, and that route is a certain width
9 within the corridor that's approved. And so as we build out that
10 transmission line, we will need to identify actual pole
11 placements, in terms of where that line will go, to ensure that
12 there are no conflicts with residence -- residences, with other
13 utilities. So, that is a process that we will be pursuing as
14 part of that project. But, again, the corridor that was approved
15 has been published; it is out there. It's identified here in
16 this map this evening. And so we have been working with affected
17 neighborhoods to ensure that they are aware of the construction,
18 and identifying ways in which we can mitigate any impacts that
19 may be associated with this line.

20 And, again, as I had referenced earlier, with the
21 construction of this line, we are able to retire existing
22 infrastructure, both poles and wires and substations, to ensure
23 that they are not in conflict with the -- the proposed
24 transmission line; but also by upgrading our system from a higher
25 voltage instead of the lower voltage that currently exists, that

1 46-kilovolt voltage. We are able to retire those antiquated
2 substations that exist within our service area.

3 ZONING EXAMINER: Okay. I've listened to
4 everyone. This is a complicated subject. It's had two other
5 Zoning Examiners, who both were attorneys, ruling on this in
6 various ways.

7 My thoughts right now, Mr. Eddy, is I'd like to have a
8 continuance of this for two weeks, okay? And I would like to ask
9 you to provide me with some information. And maybe you've talked
10 about it right now, but I'd like -- if you would put it in a
11 narrative with whatever other documents you want to put. But I'd
12 like you to address as best you can the impact on historic
13 neighborhoods of the line that you have here. I would like you
14 to look at the University Area Plan and look at that and its
15 impact on your line and where there are possibilities of doing
16 something a little bit out of the box, if you will.

17 And the third thing is for you to look at both of those
18 and tell me as clearly as you can the feasibility and costs that
19 are invol- -- and -- and the cost, what I'm saying -- general
20 costs, you don't have to get down to detailed costs, but the
21 feasibility and the cost to your company to put underground in
22 those particular kinds of areas of a historic neighborhood --
23 near a historic neighborhood or near the University Area Plan.
24 That would help me a lot in kind of seeing some of the big
25 concerns that I'm hearing tonight. And maybe your answer is

1 going to be pretty much what you've already said, but I'd still
2 like to have that in writing, where you've thought about it a
3 little bit and talked to your -- your colleagues about that.

4 Also, I would like -- in my own view, I have the
5 ability -- I don't have the ability to talk to many people
6 because I'm the Zoning Examiner, but I do have legal counsel.
7 And because this was handled by a couple of attorneys before me,
8 I'd like to understand the legality of this issue at a deeper
9 level than I understand it right now.

10 So, John, do you think we can do this in two weeks?

11 MR. BEALL: Yes, in two weeks that would be
12 February 12th; is that what you're looking at?

13 ZONING EXAMINER: Yeah, February 12th would work.

14 MR. BEALL: Yes.

15 ZONING EXAMINER: And I'm going to keep the Public
16 Hearing open. But, to everybody here, what I would say is it
17 would be mainly for new information, not to go over everything
18 we've just talked about. Because I've got it, I've been taking
19 notes. I have my own recording of this that I'm going to listen
20 to. And I'm going to review some of the documents that you
21 mentioned, take a look at them again.

22 So, with that, I'm going to say that's the end of this
23 Public Hearing, but it will be continued for two weeks until
24 February 12th, at the same time, same place. Okay. Thank you
25 all for coming. And thank you --

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5

MR. EDDY: Thank you.

ZONING EXAMINER: -- Mr. Eddy.

MR. EDDY: Appreciate it.

(Conclusion of the hearing.)

* * * * *

CERTIFICATE

I hereby certify that, to the best of my ability, the foregoing is a true and accurate transcription of the digitally-recorded City of Tucson Zoning Examiner Public Hearing held on January 29, 2026.

Transcription completed: February 4, 2026.

/S/ Danielle L. Krassow
DANIELLE L. KRASSOW
Legal Transcriptionist

CITY OF TUCSON ZONING EXAMINER
PUBLIC HEARING

FEBRUARY 12, 2026

TEP Substation
Vine Avenue (Ward 6)
(Case No. TP-ENT-1025-00021)

(Continued from January 29, 2026)

ZONING EXAMINER:

- Jim Mazzocco

STAFF PRESENT:

- John Beall, Section Manager
City of Tucson
Planning and Development Services Department

APPLICANT/AGENT PRESENT:

- Steven Eddy
Director of Public Affairs
Tucson Electric Power
88 East Broadway
Tucson, Arizona 85701

1 ZONING EXAMINER: I think it's about 6:00 p.m.
2 now. So, good evening, everyone. It's 6:00 p.m. The date's
3 February 12th, 2026. Welcome to tonight's continued Public
4 Hearing. My name is Jim Mazzocco. I'm the Zoning Examiner for
5 the City of Tucson. And, of course, we have one case scheduled
6 for this Public Hearing, and this is a continued case and the
7 number is TP-ENT-1025-00021 - TEP Substation, Vine Avenue, Ward
8 6.

9 First, I want to thank everyone who so far has given

1 spoken and written testimony. I have listened closely to the
2 spoken testimony and reviewed the materials that I have received
3 since the January 29th hearing. I don't think I need to rehear a
4 lot of that testimony, but I would like to hear Mr. Eddy, if he
5 would like to summarize his position and materials he submitted
6 for the Public Hearing. And, after that, I would probably like
7 to hear Mr. Dempsey and Mr. Schwarz to summarize their position
8 from -- for the record. And if anyone else wants to speak,
9 they're welcome to come forward and speak. Again, I've heard a
10 lot of testimony. I know a lot of the issues from studying the
11 written materials and from last week's -- or two weeks ago Public
12 Hearing.

13 So, with that, let me just check my notes here a
14 second. I'll ask you, Mr. Eddy, to come up and kind of give your
15 summation or whatever -- however you want to describe it.

16 MR. EDDY: Sure. Thank you, Mr. Mazzocco. And,
17 for the record, Steven Eddy, Director of Public Affairs for
18 Tucson Electric Power, 88 East Broadway.

19 So, again, thank you, Mr. Mazzocco, for taking the
20 opportunity to maybe take a breather, a two-week hiatus to review
21 the material that was presented two weeks ago; and, of course,
22 the material that we presented a few days ago.

23 And so I'll outline our responses to the three
24 questions that you had proposed two weeks ago. But, again, as we
25 outlined within our written submission, the request before you,

1 and for this case, concerns only the Vine Substation. This
2 facility is critic- -- is a critical component of improving
3 electrical reliability within central Tucson, and it has been
4 designed and conditioned to meet every applicable City standard.

5 We also want to formally thank Staff. I know they have
6 put in a diligent amount of work, not just in this case, but in
7 prior cases. This has been a long process, and we hope that this
8 substation is the last conclusion of this public process.

9 So, the three areas -- and I won't list the questions
10 that you provided, but the first item was with respect to the
11 impacts on historical neighborhoods. So, as part of the line-
12 siting process, in addition to this process, TEP retained
13 professionals to assess the potential impacts to historical
14 districts and contributing properties along the Midtown
15 Reliability Project. Their analysis concluded that no historic
16 contributing property, no historic district, and no listed
17 structure will be removed, delisted, or have its integrity
18 diminished as a result of the transmission line.

19 Importantly, the Vine Substation itself is located
20 outside the historic district of Jefferson Park Historic
21 District, and that is by design; in fact, it is within the U of A
22 planning area, and I believe you all had received a letter from
23 the University of Arizona confirming that it is, in fact, within
24 the planning boundary and conforms to their uses within the
25 University.

1 With respect to the University Area Plan. Opponents
2 have pointed out that -- the UAP as a basis for requiring
3 underground facilities. This matter was fully litigated during
4 the ACC hearing, and the conclusion reached, and affirmed by both
5 the line-siting committee and the ACC, is that the UAP does not
6 mandate undergrounding of high-voltage transmission lines and
7 does not impose such requirements on the Vine Substation.
8 Nonetheless, the project aligns with the UAP's intent through
9 capable design, landscape, and placement outside historic
10 neighborhoods.

11 The third was around feasibility and costs of
12 undergrounding. So, I think -- as part of this process, I think
13 it's important to note as -- as part of our approvals with
14 notably Mayor and Council, there was three exceptions that we
15 applied for as part of the process established by Mayor and
16 Council; two of those were granted, one was not, and that is at
17 the Broadway and Euclid intersection.

18 So, just for a little bit of context with respect to
19 the cost differential between that intersection of undergrounding
20 versus overhead. The cost estimate that we've received for our
21 engineering to put that intersection, which is roughly 800 feet,
22 underground is approximately \$6.5 million. Comparatively, it
23 would be \$250,000 to construct it overhead.

24 With that said, though -- and I think, Mr. Mazzocco,
25 you had pointed out some of the outside-the-box thinking that we

1 might consider as part of this project and -- and, I think,
2 relating to the transmission line itself -- we noted this in the
3 previous hearing is -- that as part of the project, we are
4 undergrounding a considerable amount of distribution lines, low-
5 lying distribution lines, as well as retiring an entire 46kV
6 system as a result of the construction of the 138 transmission
7 line, as well as the Vine Substation. So, roughly 6.3 circuit
8 miles of distribution lines will be undergrounded, and 19 miles
9 of aging 46 overhead infrastructure will be retired, in addition
10 to eight -- I believe I've got that number right -- eight
11 substations for one. That's an eight-to-one reduction in
12 substation and infrastructure equipment.

13 What's that?

14 ZONING EXAMINER: Could you go over that one more
15 time? Those -- the -- you said --

16 MR. EDDY: Okay.

17 ZONING EXAMINER: -- 6.5 miles of undergrounding
18 of distribution lines?

19 MR. EDDY: So, in -- yes. And, again, this is a
20 condition of our permit with the ACC and for this transmission
21 line. TEP committed to undergrounding approximately 6.3 circuit
22 miles of distribution -- distribution lines that are along the
23 route for the Midtown Reliability Project. Additionally, TEP
24 will retire eight existing 46kV substations, and remove
25 approximately 19 miles of 46kV infrastructure. And, again, I

1 provided this testimony two weeks ago, but the reason why we are
2 building this substation and this line is to upgrade our
3 facilities from an aging antiquated system, the 46kV system, to a
4 more robust 138kV system.

5 In closing, the Vine Substation meets all applicable
6 City standards, is consistent with Plan Tucson and the University
7 Area Plan, and satisfies the U- -- the UDC, the Unified
8 Development Code.

9 We appreciate Staff's recommended approval and the
10 Preliminary Conditions that have been outlined. And I did
11 receive a note earlier with respect to the Design Review Board
12 approval for the substation wall, and want to clarify that the
13 design for that substation wall applies to both the east and west
14 sides of the proposed Vine Substation.

15 ZONING EXAMINER: The wall again -- so, when they
16 talk about step-in, it's a --

17 MR. EDDY: Yeah.

18 ZONING EXAMINER: -- vertical step-in that, you
19 know, puts some -- it's -- it's not -- it's not just one
20 monotonous mess, there's -- there's --

21 MR. EDDY: Yes.

22 ZONING EXAMINER: -- some definition in the wall?

23 MR. EDDY: That's correct.

24 ZONING EXAMINER: And, also, there -- if I could

25 --

1 MR. EDDY: Yeah.

2 ZONING EXAMINER: -- there's talk about using COR-
3 TEN, weathered steel plates; is that correct? And that would be
4 worked into the design I assume. Would -- would the final
5 product go back to the Design Review Board or is that completely
6 up to you how that is designed? Just a question.

7 MR. EDDY: So, we -- we did go in front of the
8 Design Review Board and presented the material that was approved
9 4/0, and in there is the design standards for both the wall and
10 landscape treatment, if I'm correct; and we are all agreeable to
11 the conditions that were placed on that Design Review Board
12 approval. I think -- again, just going back to the clarification
13 I was trying to make, it applies to both the east and west sides
14 of the wall. I don't think that was clear in the approval. And,
15 Mr. Beall, I'm hoping we're -- we're addressing that correctly.

16 ZONING EXAMINER: I think the condition just said
17 east side; and that caught my eye and I thought why would you do
18 that on the east, that's the wrong side. So -- and so it's east
19 and west?

20 MR. EDDY: East and west.

21 ZONING EXAMINER: Okay.

22 MR. EDDY: Yeah. That concludes my comments,
23 unless you have any questions.

24 ZONING EXAMINER: I don't have any questions now,
25 but I'll call you back after everybody speaks and then I may have

1 a few questions --

2 MR. EDDY: Great.

3 ZONING EXAMINER: -- okay?

4 MR. EDDY: Thank you, Mr. Mazzocco.

5 ZONING EXAMINER: Thank you. Mr. Dempsey, do you
6 want to speak now?

7 MR. DEMPSEY: Sure. Good evening. I -- this
8 might be --

9 ZONING EXAMINER: Would you mind if you put your
10 name and address for --

11 MR. DEMPSEY: Yeah, yeah. So, my name is Daniel
12 Dempsey with Underground Arizona. We have submitted three
13 written comments and five exhibits for the record, and this is
14 our second verbal comment.

15 Once again, I want to state out front that we support
16 this project so long as it is conditioned on undergrounding in
17 the University Area Plan. City plans and ordinance exist for a
18 reason. As Banner said before the ACC, property owners invested
19 in the area under the expectation that they will be enforced.

20 The University of Arizona does not belong to the
21 neighborhoods that border it; it belongs to the whole city, the
22 whole region, and indeed the whole state. Making it look
23 terrible because TEP screwed up in its planning and due diligence
24 makes absolutely zero sense. These poles will stand for 100
25 years. There is no reason to encircle the University in 90-foot

1 poles when there is zero such infrastructure in the area and our
2 plans and ordinances are unequivocal that new infrastructure
3 should or must be underground. We have to build the
4 infrastructure of tomorrow today. We cannot build new overhead
5 lines in the densest part of town only to tear them down and
6 underground them in 20 years; that is substantially more wasteful
7 than doing it the right way from the beginning. APS did it in
8 central Phoenix 60 years ago; and did it adjacent to ASU 20
9 years. There's nothing but TEP's own hubris stopping it from
10 doing the same thing in central Tucson today.

11 TEP was supposed to provide you information on cost;
12 instead, it said it need not provide such information and merely
13 provided conclusory findings from a different process subject to
14 different legal standards. Moreover, those conclusory findings
15 aren't even very helpful to its case. Just because
16 undergrounding costs more up front, does not mean the plans and
17 ordinances are unenforceable. Could you imagine if a subdivision
18 developer said undergrounding utilities makes my houses costs
19 more; therefore, I can ignore your laws? That doesn't make any
20 sense, right? Cost does not determine the enforceability of City
21 code; neither does who pays for it. We suspect that TEP avoids
22 discussing costs because it knows that costs cannot create a
23 feasibility issue under its franchise agreement; therefore, it
24 has to pretend this process is preempted when it is not. And, as
25 we demonstrated in our responsive comments, even if costs could

1 create a feasibility issue, the cost here is insignif- --
2 insignificant by any reasonable definition.

3 TEP's response on cost focuses on its erroneous opinion
4 that AC- -- that the ACC process preempts City process. This is
5 just not supported by the record or the law. The ACC and City
6 processes are separate, with different legal standards. The
7 outcome of one does not determine the outcome of the other. The
8 ACC determines routes. City law determines how a line is built
9 within those routes. It is not possible for City law to be a
10 collateral attack on the ACC. There are multiple court decisions
11 on this issue that are not difficult for TEP to read.

12 This project would be done by now if TEP simply
13 followed City plans and ordinances from the start. All of the
14 delays and headaches we have had to deal with are a result of
15 TEP's misplaced intransigence. There is nothing legally or
16 practically stopping TEP from undergrounding these lines. Other
17 -- as City Attorney Roi Lusk stated at the ACC hearing, TEP's
18 preference does not trump City law. Other Arizona utilities do
19 it even when it's not proscribed by plans or ordinances.

20 TEP does not seem to understand the purpose of public
21 process -- or it does not seem to understand that the purpose of
22 public process is to surface potential issues early and more
23 quickly so they can be avoided. This process did that. TEP
24 simply ignored what surfaced because it didn't like it. That's
25 just poor leadership at TEP. This project would be done by now

1 if we had better leadership at TEP.

2 In closing, I am shocked that TEP opened its response
3 by telling you that what you decide does not matter. I was
4 further shocked that TEP refused to substantively respond to your
5 request for information on costs. This process is not preempted
6 by ACC process. TEP cannot legally build new transmission lines
7 in the area without the Vine Substation. As such, perhaps
8 instead of denying the application, you should approve it,
9 conditioned on TEP undergrounding in the University Area Plan;
10 that covers the West University HPZ and other undergrounding in
11 other historic areas. It also maximizes compliance with Plan
12 Tucson 2025, which says undergrounding shall be a priority. TEP
13 has presented no reason why this cannot be done.

14 The ACC has no jurisdiction over how lines are built.
15 If the ACC wants to sue TEP for following the City laws, let it.
16 And if TEP wants to sue the City, let it. Neither have any
17 chance of succeeding in court and will merely be delaying the
18 inevitable conclusion that laws matter. TEP is not above the law
19 and should not be allowed to treat Tucson as a second-class city,
20 or the University of Arizona as a second-class university. Thank
21 you.

22 ZONING EXAMINER: Okay. We can -- okay, Mr.
23 Schwarz?

24 MR. SCHWARZ: Thank you.

25 ZONING EXAMINER: Name and address for the record.

1 MR. SCHWARZ: My name is John Schwarz, 3720 North
2 Camino Leamaria, Tucson. And I'm a member of the Steering
3 Committee of the Tucson Neighborhood Undergrounding Coalition.

4 Here's the truth: TEP is so opposed to following City
5 rules to underground unless it's paid for by the City that, to
6 avoid it, they will do anything. They will make any statement no
7 matter how misleading, no matter how contradictory with their
8 other statements. They will proposed anything no matter how
9 harmful to their own customers. I'm going to give you six quick
10 examples. I could mention dozens more, literally, but there's
11 only time for these, and even these six might go just a few
12 seconds over my five minutes.

13 First, TEP testified as recently as the last hearing
14 that, if they are required to underground to get the zoning
15 exception, they will do the project overhead without connecting
16 to the substation; that is, TEP will deprive all their good
17 customers, who would otherwise get upgraded power from the Vine
18 Substation, any benefit at all from the project. That's a
19 substantial number of customers who would get no benefit. TEP is
20 willing to leave all those customers with a risky delivery system
21 that TEP said -- here tonight itself said it's antiquated, and
22 they've said elsewhere that it's outdated, decrepit, and very
23 unreliable. Now, we believe that if they're asked to underground
24 here and decide to do what they've said they're going to do, we
25 can still stop it in a number of ways.

1 Second, moreover, when TEP says that if they don't get
2 the rezoning, they'll just go overhead without connecting to the
3 substation, they are acknowledging that connecting the lines is a
4 crucial reason for them needing to upgrade the substation; thus,
5 a crucial reason for their request for an exception. That's
6 contrary to what TEP is now saying. That the Zoning Examiner
7 cannot consider the lines in determining an exception; yet, TEP,
8 as I just mentioned, is saying that -- basically, that that's the
9 reason they need the exception is because of connecting the
10 lines.

11 Third, TEP claims that the costs of undergrounding
12 makes undergrounding infeasible, when the franchise contract they
13 themselves signed with the City of Tucson specifically states
14 that, in determining infeasibility, costs cannot be a
15 consideration.

16 Fourth, also in support of its position, TEP repeatedly
17 refers to decisions of the ACC, which, in addition to being dead
18 wrong factually, have logically -- have been legally overturned
19 elsewhere and so are now actually null and void. This includes
20 ACC and TEP's arguments that ratepayers cannot be charged for
21 undergrounding and that the costs of undergrounding is
22 unfeasible. The costs of undergrounding this project, by the
23 way, in the two miles it's supposed to be undergrounded,
24 amortized over the life of the project and spread over all
25 ratepayers would be less than one two-dollar candy bar per

1 ratepayer per year.

2 Fifth, TEP says they don't believe it's at all fair to
3 pass the costs of undergrounding onto anyone but nearby
4 residents; yet, somehow TEP's sense of justice never extends to
5 consider the fairness to nearby residents and businesses of a
6 potential loss in their property value, or the permanent damage
7 to the character of their surroundings, or the possible effects
8 on future development where giant lines are going; none of this
9 side is ever part of TEP's fairness equation.

10 And, sixth, at the same time that TEP insists it's
11 unfair to burden anyone but nearby neighbors with the cost, TEP
12 willingly proposed, and then promoted, a citywide proposition
13 that would tax all city residents to pay the costs of
14 undergrounding the project.

15 There are dozens more examples, as I said. It's sad to
16 say. But, when it comes to undergrounding, you cannot trust a
17 single claim or argument that TEP makes. Time and again, their
18 statements are misleading, contradictory, deceptive, outright
19 false, or even against the interests of their own customers.

20 Let me conclude then by stating what this means. The
21 UDC of the City clearly specifies that, in connection with a
22 request for a zoning exception, the Zoning Examiner cannot grant
23 any zoning exception that conflicts with a duly-enacted area
24 plan, such as the University Area Plan. The University Area Plan
25 plainly specifies, quote, "Wherever possible, place utility and

1 service equipment underground or in a visually-screened
2 location," unquote.

3 Undergrounding the project is clearly feasible and
4 there is no way, no way at all to visually screen industrial-
5 sized, 100-foot poles and transmission lines that tower over
6 everything else. Approval of the zoning exception must be
7 conditioned on TEP placing all lines that are within the
8 University area underground. No matter how many ways TEP tries
9 to deceive, there is no sound case for TEP not to follow City
10 rules. That we believe is the bottom line. Thank you.

11 ZONING EXAMINER: Okay. At this point, if there's
12 anybody -- do we have people? Okay. Let's see. So, we have
13 Kathy McLaughlin. And when you come up, give your name and
14 address for the record.

15 MS. McLAUGHLIN: Good evening, Mr. Mazzocco. I'm
16 Kathy McLaughlin, 2739 East Carthay Circle. I'm a native
17 Tucsonan and an architect. I care about the built environment.
18 And I've been an advocate for ridding the city of billboard light
19 since 1985.

20 I've actually had a connection with Tucson Electric
21 Power my entire life. I grew up next door to Jake Snider, who
22 was at the time Tucson Gas, Electric Light & Power Company
23 President as a recall.

24 I'm here representing the thousands of people who have
25 been involved in this issue for six and a half years. I was at

1 the meeting at Pima College in October of 2019, when I told Mr.
2 Ed Beck that I didn't think he could put his power lines up Kino
3 and Campbell; and he assured me, oh, no, he could do that. And
4 then John Schwarz found out that he really could not.

5 So, I'm asking you -- I have worked as -- my entire
6 professional career under rules, regulations and codes, and I'm
7 asking you to please enforce the City rules, regulations and
8 codes.

9 ZONING EXAMINER: Betsy Larson.

10 MS. LARSON: Hello, Mr. Mazzocco. My name's Betsy
11 Larson, 820 North 6th Avenue. I am President of the West
12 University Neighborhood Association.

13 Kathy, when you were talking just now and you were
14 saying six years ago we were all doing this, I was pregnant with
15 that little boy over there in my belly at the beginning of this
16 process. He has never known a moment where I have not been
17 fighting this. I think that's just a -- adds context.

18 So, on behalf of the West University Neighborhood
19 Association, I greatly appreciate your careful consideration of
20 the facts and history of TEP's proposed Midtown Reliability
21 Project. Thank you for listening to our community and honoring
22 this robust public process.

23 As part of the comments -- as part of my comments on
24 January 29th, I raised concerns about our neighborhoods'
25 protections and required public process as defined under our

1 Historic Preservation Zone. You called out my concerns directly
2 that evening and asked TEP if they could provide further details
3 of pole locations; and TEP's response was nonsensical. They
4 managed to dodge our specific questions and hid behind the
5 findings of the Arizona Corporation Commission. Let's be clear.
6 Our neighborhoods' HPZ is not under ACC jurisdiction.

7 TEP doubled down on hiding behind the ACC in their
8 latest response to you, Mr. Mazzocco, dated February 10th of this
9 year. Under the title Request 1, TEP failed again to acknowledge
10 our HPZ. If TEP took the time to understand our City code, they
11 would know that zoning violations often predict the loss of a
12 historic property. The consequences of zoning violations can
13 take years or even decades to destroy a historic property's
14 contributing status. Preservation is a complex tapestry that
15 requires thoughtful analysis and specific zone planning. TEP
16 continues to oversimplify historic preservation and misrepresents
17 the ACC's control over such matters.

18 Why does TEP continue to ignore the existence of our
19 HPZ? Unlike a historic district, our HPZ contains stringent
20 restraints. Given the lack of information TEP has provided, it
21 is impossible to know how TEP's MTR project will impact our HPZ
22 without details of pole dimensions, placement and line sway over
23 properties. Further, TEP should be required to submit their
24 project before the West University Historic Zoning Advisory
25 Board. Euclid is a narrow and congested roadway. Sidewalk

1 accessibility, large utility placement, and historic properties
2 will all be competing for space. We should expect a public
3 process to ensure TEP is compliant with our neighborhood zoning
4 overlay. I focus on our HPZ not because I believe it's more
5 important than the other undergrounding arguments, but because it
6 demonstrates TEP's lack of genuine engagement.

7 For the last six years, TEP has continually failed to
8 show up and listen to our community with intention and honesty.
9 They might check off public outreach boxes, or make colorful
10 graphics to convince officials, but the proof is not in the
11 pudding. Had they been listening these past six years, they
12 would have addressed our HPZ and the broader U of A plan with
13 respect. Mr. Mazzocco, I urge you to not reward TEP's disrespect
14 of our community. For far too long they have been granted an
15 unchecked rubber stamp. Now is the time to uphold our laws.

16 There's one other thing I want to mention really quick.
17 In their response under the historic section, there is an image.
18 It's a map -- I believe it's called -- Figure 1 is what it's
19 labeled -- and it's a map of our area, and it's supposed to be a
20 map of historic protection. They only have colored in the
21 National Historic District. They have completely omitted our
22 HPZ, which seems kind of bonkers to me. If you're going to make
23 a historic map to support your argument, you should absolutely
24 include the HPZ. They also left out the U of A plan boundaries.
25 They conveniently left in the tighter U of A planning -- Campus

1 Plan, which is clearly defined; but the U of A plan boundary is
2 completely absent. So, I think that Figure 1 in their response
3 should be taken with a grain of sale.

4 Thank you guys very much. I appreciate you having us
5 here today.

6 ZONING EXAMINER: Thank you. So, that's all the
7 speaker forms I have. Is there anyone else that would like to
8 say something?

9 Okay. Mr. Eddy?

10 MR. EDDY: In closing, Mr. Mazzocco, I think I've
11 stated this earlier -- and we recognize this as a company and as
12 the team that has been responsible in siting the transmission
13 line -- that case has been litigated and resolved. We have an
14 approved route for the Midtown Reliability Project. The case
15 that you are considering is related to the Vine Substation, a
16 Special Exception Land Use Permit for a substation.

17 I have been involved in these substation sitings for
18 quite some time. I think we've had a little over five SELUPs for
19 substation uses in the last five or six years. And, as part of
20 those processes, right, that are -- that go in front of the
21 Zoning Examiner, it's looking at its conformance with the UDC and
22 ensuring those standards are met. And I believe that Staff has
23 outlined how this substation is in conformance with the UDC, as
24 well as other applicable plans; and, again, we have stated such
25 in our earlier application, as well as the restated response that

1 we provided.

2 This substation will provide significant benefits to
3 the entire midtown area. You know, I think we often take
4 reliability for granted and ensuring that those lights turn on
5 when we flip the switch. Infrastructure improvements like the
6 Vine Substation ensure that we can meet the demand that our
7 customers put on our grid, but also more importantly, the
8 reliability that they expect. Vine Substation will do just that.
9 And that is the case that we are in front of you for and we
10 respectfully request your consideration and approval for the Vine
11 Substation.

12 ZONING EXAMINER: Okay. Thank you.

13 MR. EDDY: Yeah.

14 ZONING EXAMINER: I have a couple things --

15 MR. EDDY: Sure.

16 ZONING EXAMINER: -- about the recommended
17 conditions from Staff.

18 MR. EDDY: Yes.

19 ZONING EXAMINER: It's my understanding that
20 you're fine with all of those conditions. Okay. In my listening
21 to the testimony, there may be a few other conditions that are
22 going to come along from me that are different than theirs --

23 MR. EDDY: Okay.

24 ZONING EXAMINER: -- but they have to do with
25 making sure things that you said actually are -- are going to

1 happen, and those are issues related to noise. You talked about
2 45 decibels inside. I think I may have a condition, something
3 like that, at the property line where the residential properties
4 start.

5 We talked about lighting. I would expect it to be --
6 the Outdoor Lighting Code, especially those having to do with
7 light trespass, and that -- that there is some condition on that.

8 Let's see if there's -- oh, the SF6 gas. I would
9 probably like to see a condition -- I'm going to come up with a
10 condition on that to make sure that there's some kind of
11 reporting from TEP to the Planning Department that safety
12 protocols are being handled correctly; and that there's some
13 transparency that we're watching that too, even though it appears
14 it has a very safe kind of system, but to give some transparency
15 -- transparency to that.

16 I had a question. You're going to get access from Vine
17 Avenue. Was there any reason why you didn't make it accessed to
18 Ring Road? I realize Ring Road is a private road.

19 MR. EDDY: So, typically, it's defined by how
20 access is provided within the substation layout, within the walls
21 of the substation.

22 ZONING EXAMINER: Okay. And I -- I wouldn't
23 expect that you should be deprived of access from a public road.
24 So, okay, I just wanted to clarify that.

25 MR. EDDY: And, Mr. Mazzocco, if I may. So, I --

1 I think I might've stated this previously, but our substations
2 are unmanned. They require very little vehicular traffic. Only
3 in the instances of maintenances or emergency will the substation
4 need to be accessed, so traffic is minimal.

5 ZONING EXAMINER: When I was going through the
6 materials, you know, I looked at what the Design Review Board
7 did, and I think they were bringing it in -- the wall, which is a
8 pretty substantial wall, 13 and a half feet at zero lot line on
9 three sides; and the things that they're doing, making it similar
10 to the materials being used by the University, doing the step-ins
11 to break up the massing a little bit; having a landscape buffer
12 yard in that area. But, the one thing I didn't notice -- and
13 those do a lot of things for neighborhood sensitivity, but there
14 was this thing about historic resources, and usually when -- when
15 that comes up, it's -- it's -- we're talking about a building,
16 and the building, we ask it to use some of the architectural
17 features that are nearby, you know, just to kind of tip their hat
18 at that historic area. In this case, I'm considering a condition
19 where TEP would put some type of public art that has a historic
20 connection to this historic neighborhood; and I haven't -- I
21 haven't come up with it completely yet, but expect that, that
22 that may be coming at you at some point.

23 With that, Mr. Eddy, unless you have some comment on
24 any of that, I have this feeling on this case that whether it
25 goes this way or that way, it's going to be appealed. So, for

1 the record, I would just like to read into the record the appeal
2 process for a Zoning Examiner Special Exception, and this is from
3 Section 3.4.3.I:

4 The Zoning Examiner's decision may be appealed to the
5 Mayor and Council by any party of record." So, a party of record
6 refers to anybody who's received notification, anybody who has
7 provided written materials, the Applicant, and anybody who has
8 spoken and given their address. So, that's a party of record.
9 So, there's a lot of people who are a party of record here
10 tonight. So, any party of record in accordance with Section
11 3.9.2 of the code by submitting a notice of intent to appeal to
12 the City Clerk within 14 days from the effective date of the
13 decision, with a copy delivered to Planning and Development
14 Services. The complete appeal materials must be filed with the
15 City Clerk within 30 days of the effective date of the decision.
16 So, for the record, to both sides of this, that is the appeal
17 process, which I assume, no matter what I say on this, somebody's
18 going to appeal it.

19 With that, I think everybody has spoken. I've listened
20 to you. I've read all the materials that I've been provided
21 with. I've considered both sides as seriously as I can. And I
22 think I can -- don't need any further continues -- that there
23 will be a decision next week that both sides can look at and
24 decide if they want to appeal it.

25 Do you have anything else to say?

1 MR. EDDY: No. Thank you, Mr. Mazzocco.

2 ZONING EXAMINER: Okay. Did you want to say
3 something, Mr. Dempsey? You're kind of propped up in your chair
4 there. I'll give you a chance. I let him speak. If you'd like
5 to say a last word, I'm okay.

6 MR. DEMPSEY: (Inaudible; no microphone).

7 ZONING EXAMINER: Okay.

8 MR. DEMPSEY: I'll be --

9 ZONING EXAMINER: Sure.

10 MR. DEMPSEY: -- I'll be fast. So, I think Mr.
11 Eddy, he said -- Mr. Eddy mentioned reliability. And there is
12 nothing more reliable than underground transmission lines,
13 underground infrastructure. The City of Mesa has three times
14 better reliability than TEP, and that's because they have
15 underground lines. So, the idea that somehow we're going to have
16 less reliability if we follow the City Code or follow the plans
17 and ordinances is -- is false. Thanks.

18 ZONING EXAMINER: Mr. Schwarz?

19 MR. SCHWARZ: Thank you very much. And thank you
20 for all you've done. I just wanted to remind you that this isn't
21 the first Zoning Examiner decision on this. There was another
22 Zoning Examiner decision I think five -- four to five years ago,
23 and I just remind you of the last paragraph in that, that I've
24 concluded that the route going to and from the Vine Substation
25 was a critical enough matter that the Zoning Examiner couldn't

1 make a decision until he had knowledge -- or she had knowledge of
2 -- of the route, and so it wasn't just the Vine Substation that
3 was -- the Zoning Examiner felt was relevant. Thank you very
4 much.

5 ZONING EXAMINER: Okay. Well, with that, it is
6 6:43 p.m. This Public Hearing is closed. I will have a decision
7 next week. And thank you all for coming, and thank you for all
8 your comments.

9 (Conclusion of the hearing.)

10 * * * * *

CERTIFICATE

I hereby certify that, to the best of my ability, the foregoing is a true and accurate transcription of the digitally-recorded City of Tucson Zoning Examiner Public Hearing held on February 12, 2026.

Transcription completed: February 17, 2026.

/S/ Danielle L. Krassow
DANIELLE L. KRASSOW
Legal Transcriptionist