

## Comments regarding Section 17 Bill

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For over a century, Lowell Observatory has tried to work in partnership and friendship with the community to which it belongs. Over the decades, members of our staff have served as Flagstaff's Mayor as well as on the City Council. The unlimited PTO policy we enacted for our staff in 2017 extends to time spent on community service, as we want our team to be active and positive contributors to Flagstaff. Most recently, we were happy to work with our neighbors and to provide security services at the Mars Hill overlook to help with the earsplitting vehicle engines that were driving us all crazy during summer 2020.

We are therefore disheartened that some assume our philosophy has abruptly become sinister, with plans to raze the Ponderosas and put widespread and ghastly development on Section 17. However, we realize that certain projects in Flagstaff over the past several years have created well-founded concerns about the character of our mountain town, along with understandably high sensitivity to further degradation. Below, we address some of the critical points regarding our intentions and our desire to involve the community in joining us in Section 17 planning.

### **Development Agreement with City**

First, the City Council, at its work session on October 26, 2021, directed us to work with City staff to revise the bill and establish "guardrails" regarding plans for Section 17. Accompanying this letter are the resulting Development Agreement (DA) we have agreed to enter with the City, along with the revised bill.

- The DA will be legally binding, and at Council's direction, it calls for creation of a Section 17 Specific Plan rather than a Development Master Plan. This is a comprehensive process, with full public input throughout.
- Even with the 1910 Act amended as proposed in the current bill, *no development on Section 17 that is not an "observatory purpose" will be permitted until the Specific Plan is completed and approved by P&Z and Council.*
- A DA is not a commitment to develop anything. It is only a commitment to plan potential future development in a thorough, public, transparent, and formally approved way via a Specific Plan.

### **Additional Road**

Second, we understand that many people have been told that *any* new development on Section 17 will require another full, public-access road off Mars Hill. This is not true. The Traffic Impact Analysis (TIA) we were required to do for the Astronomy Discovery Center (ADC) showed that

Mars Hill Road will be operating far below its capacity even after the ADC opens. In fact, we are so far under capacity that we would have to create several times the anticipated traffic volume after the ADC opens to trigger a requirement for a second road. Future Lowell growth and/or the few collaborations we've discussed for Section 17 would not generate anywhere near this much traffic. And, with two-way, emergency-only egress established between Lowell and Flagstaff Mesa, our long-standing concerns about Mars Hill Road being the only way in or out are significantly reduced.

### **Disinformation Campaign**

Finally, we are aware of a concerted effort that some people associated with the Sierra Club have been waging to stymie the observatory's use of Section 17, including the recent creation of a change.org petition. Even though Sierra Club representatives have been present at the Section 17-related meetings of City Council, they continue to misrepresent the facts, so we would like to refute their assertions here for the record:

*Sierra Club: Any development of Section 17 for other than observatory purposes would "DESTROY the heart of FLAGSTAFF," according to their petition.*

- **Fact:** This is simply false. The observatory is already allowing non-observatory purposes on Section 17 (hiking, mountain biking, dog-walking, FUTS easement in the north), and these have clearly not destroyed the heart of Flagstaff.
- **Fact:** The only way to use Section 17 to create more City Open Space is to remove the observatory purposes restriction.
- **Fact:** The public process that results in a specific plan for Section 17 will, by its very nature, use the "heart of Flagstaff" (its people) to guide and direct what happens on the Section.

*Sierra Club: Thousands of cars per day will be going to and from Mars Hill (through Thorpe Park) if Section 17 is developed further.*

- **Fact:** The observatory has neither the intention nor the authority to create roads through Thorpe Park.
- **Fact:** The observatory's Astronomy Discovery Center (ADC, an observatory purpose that has already been approved) will increase tourism to our city and will therefore impact traffic more significantly than a few additional structures (which will NOT include multi-story and/or publicly available housing) that may be built on Section 17.
- **Fact:** As we discussed above, a Traffic Impact Analysis was conducted as part of the approval process for the ADC. It found that prior to COVID-19, the peak volume for Mars Hill Road was 217 vehicles per hour (vph), and that the expected peak after the ADC opens will be 293 vph. This corresponds to a traffic "level of service" ranking of "C." A peak of more than triple that would be required to drop the level of service to "D," which is *still* well below a road's maximum capacity (level of service "F"). It is extremely

unlikely that adding anything to Section 17 would triple the traffic volume that our completed ADC will generate.

*Sierra Club: Section 17 will be heavily developed, and Lowell will be unfettered (given a "blank check") in developing the Section.*

- **Fact:** Lowell Observatory has literally led the efforts for dark skies preservation in Flagstaff since the 1950s. It is fundamentally against the observatory's interest to build assets conflicting with this, such as large housing developments, on Section 17.
- **Fact:** The Sierra Club cites the removal of "observatory purposes" in the proposed revision of the 1910 Act, but they have refused to acknowledge the other side of the equation: the removal of "observatory purposes" is replaced by the observatory's entering into the formal Development Agreement, which itself requires that the observatory create a community-led specific plan. No development that is not an observatory purpose can occur on Section 17 until that plan is complete, at which point the observatory will be bound by the contents of that specific plan.
- **Fact:** The result of the above is actually a more restrictive situation for the observatory, not a less restrictive one.

We hope these comments clarify some of the misinformation and uncertainty circulating about Section 17. We have done our best to be open and public about the section, including three Council meetings, a public town hall (albeit Covid-virtualized), and communications like this one. We will continue to do so, and to any extent our efforts thus far have been inadequate, we will try to increase our efforts in the future.

As we have long invited the community to enjoy Section 17, we are now inviting the community to help us plan its future – one that will benefit both Lowell and Flagstaff.