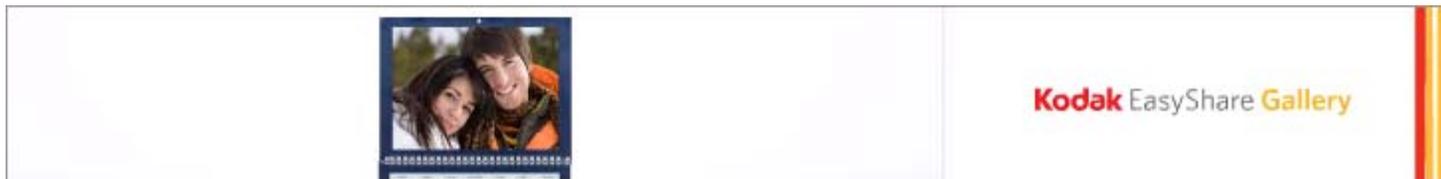


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Tuesday, January 09, 2007

## Commissioners lift restrictions

By Paul Sunyak, Herald-Standard  
12/02/2004

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The Fayette County commissioners voted Wednesday to lift an "industrial use" deed restriction for seven prospective tenants at the Fayette County Business Park, then voted to strip the park of its tax-free Keystone Opportunity Zone acreage.

While lifting the KOZ designation on 60 acres still needs approval from two other taxing bodies - South Union Township and the Laurel Highlands School Board - the agency heading park development doesn't think the inducement is needed.

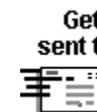
Raymond C. Polaski, director of the Fayette County Redevelopment Authority, said the key is to "be flexible" in these situations, which the commissioners are doing by recognizing that the hot spot doesn't require KOZ to induce interest.

All three county commissioners agreed, with Chairwoman Angela M. Zimmerlink noting that she doesn't believe KOZ has been an "effective tool" in Fayette County, but she's had to live with decisions that predate her time on the board.

Zimmerlink said that saddling the business park with a KOZ section that proved to be unnecessary is what happened when Fay-Penn Economic Development Council came in "at the 12th hour" back in 1999 when the zone was being formed.

Commissioner Joseph A. Hardy III said, "It was all right to have the KOZ (in principle) ... but it's inappropriate (at this site)."

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Commissioner Vincent A. Vicites said he supports the idea of removing the KOZ designation from the business park, but noted that he has never favored using that status for residential development.

Vicites agreed with Polaski that it's important to go with the flow, which in this case means taking the KOZ designation out of the park completely, so that pent-up demand for commercial development can be unleashed, providing much-needed jobs.

Toward that end, Polaski said that lifting the "industrial use" deed restriction for each of the seven proposals currently in the pipeline represented a "good compromise" between his authority and the commissioners.

Polaski said that while he and his own board of directors would prefer lifting the deed restriction in its entirety - a move he says would greatly streamline the development process - they can live with the compromise.

Polaski said the seven projects would create more than 1,000 jobs, one-third of which would pay above the average retail worker wage.

Hardy focused on the fact that the deed language includes terms of performance, meaning that someone can't buy land on speculation and do nothing. This "intent of use" clause, as Zimmerlink described it, basically mandates that a land purchaser follow through on submitted development plans.

The seven firms for which the deed restriction was lifted are: D'Auria Associates, LLC; Grandview Building, LLC; Synergy Real Estate Corp.; RET-FAY, LLC; Cedarwood Development Inc.; Fayette Restaurant Group; and Armstrong Development.

Polaski said that if the township and school district approve similar resolutions, his agency would basically give those 60 acres of KOZ back to the state for deployment elsewhere.

He said the county could apply for the acreage in another location if it wanted.

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