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Tuesday, January 09, 2007

Roberts proposes bill to address KOZ issue

By Amy Karpinsky, Herald-Standard
10/04/2002

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There might be a resolution ahead for the zoning quandary surrounding property in the Fayette County Business Park in South Union Township.

The property, located along Route 40 near the Uniontown Mall, is designated as a mixed-use site with areas zoned for business, manufacturing and residential. The Fayette County Redevelopment Authority has been given the task of filling the park. To date, two businesses, a motel and an engineering firm, have opened and two others are planned. The county CareerLink and Mental Health/Mental Retardation agency are also planning to move into the park.

Since the majority of the acreage that remains for business consists of smaller parcels, a doctors office/clinic has requested that part of the manufacturing area is rezoned to accommodate their development. However, since the M-1, light manufacturing zone is located in a tax free Keystone Opportunity Zone, the township supervisors have resisted changing the zoning, saying that it would be unfair to provide tax breaks to some businesses and not others.

The only option available to the supervisors is to change the zoning since the KOZ will remain on the designated 169.47 acres and provide tax-free status to qualified businesses until the year 2013.

This week, state Rep. Larry Roberts, (D-South Union), introduced legislation to allow local municipalities to change the borders of KOZ land with the permission of the landowners. Roberts said he obtained about a half-dozen co-sponsors for the bill "just to get something going." However, he

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said that he didn't anticipate that it will be adopted until after the new governor takes office in January.

Roberts said officials of the state Department of Community and Economic Development which oversees the KOZ program, have indicated that they are favorable to making changes to the legislation but want to wait until after the new governor comes into office. Roberts said the KOZ issue will probably be reopened statewide early next year.

Raymond C. Polaski, executive director of the Fayette County Redevelopment Authority, called the legislation great news. He said since funding for infrastructure is coming in, development on the current KOZ can wait.

Polaski said he has been working with township officials to come up with an idea to change the zoning so everyone is satisfied. He said he is also working to sell land that is not in the KOZ and is currently zoned for business. Polaski said he has received a couple inquiries but is just waiting to see if a concrete proposal comes through.

In addition to the KOZ land, 63.57 acres are zoned for business where development has occurred, the property includes 15.50 acres zoned residential and two other parcels zoned for business, one that is 26.63 acres and another that includes 11.37 acres.

South Union Township Supervisor Robert Schiffbauer said he thinks the change that will allow a shift in the KOZ boundary should "pretty much remedy the situation and allow development to progress in such a way that all parties are satisfied."

"We think there is definitely a light at the end of the tunnel," Schiffbauer said. He added that the head of the DCED acknowledged that other changes with the legislation may also be on the way.

Schiffbauer said the current legislation is very restrictive and was put together quickly. He said a problem is that there wasn't enough time available for proper insight and planning of the KOZ land. With the way the development is progressing, Schiffbauer said more business-zoned land is needed in the area of the Business Park as opposed to manufacturing zoned areas.

"We can't impede what little growth there is in Fayette County," he said.

Schiffbauer said State Sen. Rich Kasunic, (D-Dunbar), has worked closely with the DCED to facilitate future KOZ changes. Kasunic was unavailable for comment on Thursday.

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