

October 25th, 2022 – Presented for approval

1 **R2022-40: A RESOLUTION CERTIFYING PROPERTY LOCATED AT 1300 NORTH**
2 **KINGS HIGHWAY, HORRY COUNTY TMS# 1810731001 AND TMS# 1810730001**
3 **AS AN ABANDONED BUILDING SITE UNDER SECTION 12-67-160 OF THE SOUTH**
4 **CAROLINA CODE**

5 **Applicant/Purpose:** (Golf Ventures Holding, LLC, applicant) / to approve City certification of
6 property located at 1300 North Kings Highway as an Abandon Building per the Abandoned Buildings
7 Revitalization Act of 2013.

8
9 **Brief:**

- 10 • The applicant is planning to purchase the property at 1300 North Kings Highway.
11 • The applicant desires to apply for Abandoned Building Tax Credits.
12 • City Staff has done its due diligence to determine the building to be abandoned as that term
13 is defined by the Abandoned Buildings Revitalization Act of 2013.

14
15 **Issues:**

- 16 • The Act is a State effort to incentivize the redevelopment of buildings that are at least
17 66% vacant for the past 5 yrs. & are not income-producing. Single-family residences are
18 not eligible.
19 • The minimum threshold for investment is \$250,000 for cities or counties w/ a population
20 >25,000.
21 • Available tax credits:
22 • Income tax credit:
23 • Credit equals 25% of actual expenses (not to exceed \$500,000 for any
24 taxpayer in a tax year).
25 • Credit must be taken over 3 years (beginning when the building is placed
26 back in service).
27 • Property tax credit:
28 • Credit equals 25% of actual expenses but the credit may not exceed 75%
29 of the real property taxes due on the building.
30 • Credit may be taken up to 8 years (beginning when the building is placed
31 back in service).

32
33 **Public Notification:** Normal meeting notifications.

34
35 **Alternatives:**

- 36 • Do not pass resolution.

37
38 **Financial Impact:**

- 39 • The Act benefits owners by reducing the costs of repurposing a vacant building.

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41 **Manager's Recommendation:** I recommend approval.

42
43 **Attachment(s):** Proposed resolution, supporting material.

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4 CITY OF MYRTLE BEACH
5 COUNTY OF HORRY
6 STATE OF SOUTH CAROLINA
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A RESOLUTION CERTIFYING PROPERTY
LOCATED AT 1300 NORTH KINGS
HIGHWAY, HORRY COUNTY TMS#
1810731001 AND TMS# 1810730001 AS AN
ABANDONED BUILDING SITE UNDER
SECTION 12-67-160 OF THE SOUTH
CAROLINA CODE

10
11 WHEREAS, the South Carolina Abandoned Buildings Revitalization Act of 2013 (the "Act")
12 was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws to create an incentive for
13 the rehabilitation, renovation and redevelopment of abandoned buildings located in South
14 Carolina; and

15
16 WHEREAS, the Act provides that restoration of abandoned buildings into productive
17 assets for the communities in which they are located serves a public and corporate purpose and
18 results in job opportunities; and

19
20 WHEREAS, Section 2-67-120 of the Act provides the following definitions (in pertinent
21 part):

22
23 (1) "Abandoned Building" means a building or structure, which clearly may be
24 delineated from other buildings or structures, at least sixty-six percent of the space in
25 which has been closed continuously to business or otherwise nonoperational for income
26 producing purposes for a period of at least five years immediately preceding the date on
27 which the taxpayer files a "Notice of Intent to Rehabilitate". *For purposes of this item, a*
28 *building or structure that otherwise qualified as an "abandoned building" may be*
29 *subdivided into separate units or parcels, which units or parcels may be owned by the*
30 *same taxpayer or different taxpayers, and each unit or parcel is deemed to be an*
31 *abandoned building site for purpose of determining whether each subdivided parcel is*
32 *considered to be abandoned.*

33
34 (2) "Building Site" means the abandoned building together with the parcel of land upon
35 which it is located and other improvements located on the parcel. However, the area of
36 the building site is limited to the land upon which the abandoned building is located and
37 the land immediately surrounding such building used for parking and other similar
38 purposes directly related to the building's income producing use; and

39
40 WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an
41 abandoned building is eligible either for a credit against certain income taxes, license fees or
42 premium taxes, or a credit against local real property taxes; and

43
44 WHEREAS, **Golf Ventures Holdings LLC** (the "Taxpayer") has contracted with the
45 present owner for the purchase of the that certain real property located at 1300 N. King Highway,
46 Myrtle Beach, S.C. along with an adjacent parking lot, (Horry County PIN #44401020048 Horry
47 County TMS #1810730001) located at the corner of Chester Street and, 13th Avenue North and
48 Withers Drive, **(the "Property")**,

49
50 WHEREAS, the Taxpayer intends to renovate the buildings on the site as part of the
51 rehabilitation of the Site (the "Building Site"); and
52

53 WHEREAS, the Property is located within the city limits of Myrtle Beach, South Carolina;
54 and

55
56 WHEREAS, the Taxpayer has requested that the City, pursuant to Section 12-67-160(A)
57 of the Act, certify that the Building Site is an eligible abandoned building site as defined by Section
58 12-67-120(1) and (2).

59
60 NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MYRTLE
61 BEACH, IN CITY COUNCIL ASSEMBLED:

62
63 Section 1. The Taxpayer has submitted to the City a request to certify the Building Site
64 pursuant to Section 12-67-160 of the Act (the "Request to Certify").

65
66 Section 2. The City has reviewed the Request to Certify, conferred with the Taxpayer, and
67 conducted a review of its records and the property.

68
69 Section 3. The City hereby certifies that: (i) the Building Site is an abandoned building site as
70 defined in Section 12-67-120(1) of the Act, (ii) the building site includes three (3) abandoned
71 buildings, and (iii) the geographic area of the Building Site is consistent with Section 12-67-120(2)
72 of the Act.

73
74 Section 4. This Resolution does not provide any approvals or permits for the project. The
75 Taxpayer is required to obtain all necessary approvals and permits from the project from the City
76 pursuant to the City's ordinances.

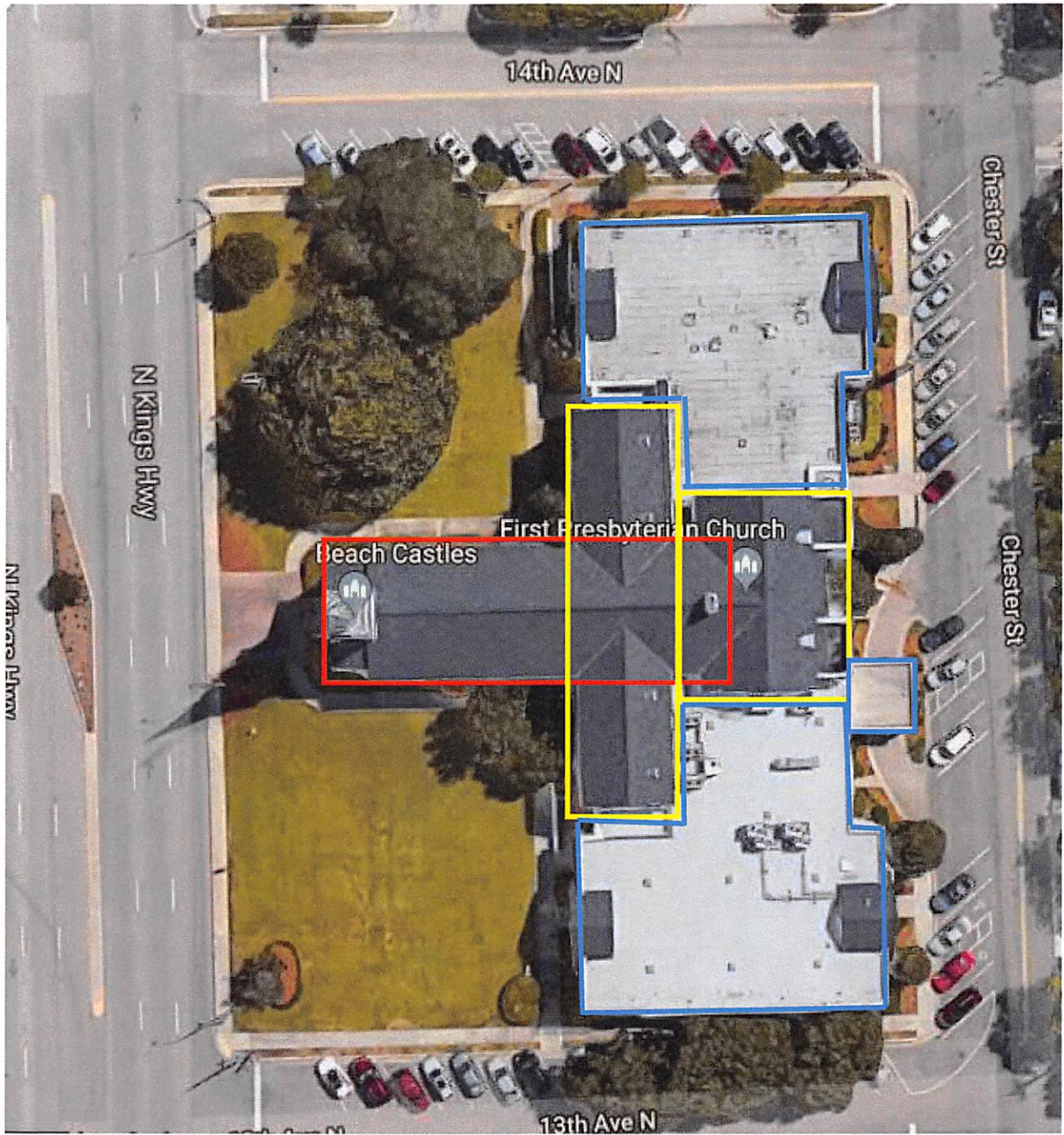
77
78 Section 5. This Resolution shall become effective upon the date of enactment.

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80 PASSED AND APPROVED, this 25th day of October, 2022.

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84 _____
85 The Honorable Brenda Bethune, Mayor
86 City of Myrtle Beach

87
88 ATTEST:

89 _____
City Clerk, Jennifer Adkins



Building evolution

Red outline = original layout

Yellow outline = 1972 addition

Blue outline = 1989 addition

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)

AFFIDAVIT

PERSONALLY APPEARED BEFORE ME, Dale Gallo, who after being first duly sworn, deposes and states:

1. That I am the superintendent of the First Presbyterian Church in Myrtle Beach, South Carolina commencing in 2016.
2. That our church campus was located at 1300 North Kings Highway, Myrtle Beach, South Carolina (the "Kings Highway Campus") for over 50 years until April 2019 at which time all church activities moved to the new church campus located at 3810 Robert Grissom Parkway, Myrtle Beach, South Carolina (the "Grissom Parkway Campus").
3. Beginning in April 2019, very minimal church activities were held at the Kings Highway campus. The only activities held at the Kings Highway Campus during this period of time were weekday meetings of twelve City of Myrtle Beach ambassadors, the YMCA after school program and two local theater productions which were staged at the Kings Highway campus.
4. From April 2019 to the present time, less than ten (10%) percent of the Kings Highway Campus was occupied.
5. To the best of the undersigned's knowledge and belief, from 2008 to April 2019 activities and occupancy at the Kings Highway campus were extremely curtailed and much of the Kings Highway campus remained unused and unoccupied. The Growing Tree Preschool and Kindergarten program, with enrollment of 180 children, was moved to the Grissom Parkway campus at this time and limited staff remained at the Kings Highway campus.
6. To the best of the undersigned's knowledge and belief, beginning in 2008 after much of the Church activities were moved to the Grissom Parkway campus, the Church sanctuary was occupied for three (3) hours of worship services on Sunday and Sunday education programs were held at the Kings Highway campus.
7. The total square footage of the Kings Highway campus is approximately 45,955 square feet as noted in the architectural plans attached as **Exhibit A** to this Affidavit.
8. To the best of the undersigned's knowledge, the average occupancy of the Kings Highway campus from 2008 to April 2019 was less than thirty-four (34%) percent of the total square footage of the Kings Highway campus.

9. To the best of the undersigned's knowledge, the average occupancy of the Kings Highway campus from April 2019 to the present time was less than ten (10%) percent of the total square footage of the Kings Highway campus.
10. The affiant verifies that, to the best of the undersigned's knowledge, for the past five (5) years the average occupancy of the Kings Highway campus was less than thirty-four (34%) percent of the total square footage of the Kings Highway campus.
11. The affiant verifies that, to the best of the undersigned's knowledge, for the five (5) year period immediately preceding the date of this affidavit, at least sixty-six (66%) of the property has been vacant, continuously closed to business and non-operational for income producing purposes.

Further Your Affiant Sayeth Naught,

 (SEAL)

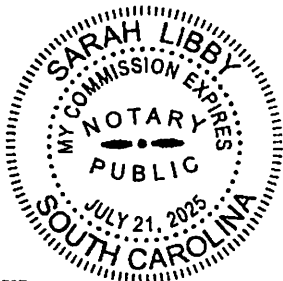
Mr. Dale Gallo- Superintendent
Myrtle Beach First Presbyterian Church


STATE OF SOUTH CAROLINA

COUNTY OF HORRY

I, Sarah Libby, a Notary Public for the state of South Carolina, do hereby certify that Affiant Dale Gallo, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 10 day of October, 2022.



 (SEAL)

Notary Public for South Carolina

Print Name of Notary: Sarah Libby

My Commission Expires: 7/21/2022

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Custom Filename: First Presbyterian - affidavit of occupancy
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