



# Council Agenda

**MYRTLE BEACH CITY COUNCIL:**

BRENDA BETHUNE, MAYOR  
MIKE LOWDER, MAYOR PRO TEM  
MICHAEL CHESTNUT  
DEBBIE CONNER  
JACKIE HATLEY  
BILL MCCLURE  
GREGG SMITH

**AGENDA**

**AUGUST 27, 2024**

**9:00 A.M. – WORKSHOP MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER  
10:00 A.M. – MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER**

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**NOTE: CITIZENS ARE INVITED TO ATTEND AND PARTICIPATE IN THE MEETINGS. CITIZENS WHO WISH TO ADDRESS COUNCIL ON NON-AGENDA ISSUES ARE ASKED TO SIGN IN PRIOR TO THE START OF THE MEETING AND STATE THEIR NAMES PRIOR TO SPEAKING. A TOTAL OF 30 MINUTES WILL BE PROVIDED AT THE END OF THE MEETING.**

**ANYONE WHO REQUIRES AN AUXILIARY AID OR SERVICE FOR EFFECTIVE COMMUNICATION OR PARTICIPATION SHOULD CONTACT THE CITY CLERK'S OFFICE AT (843) 918-1004 AS SOON AS POSSIBLE, BUT NO LATER THAN 48 HOURS BEFORE THE SCHEDULED EVENT.**

**A PUBLIC HEARING WILL BE HELD AT 9:00 A.M. AT THE TED C. COLLINS LAW ENFORCEMENT CENTER AT 1101 N. OAK STREET ON THE ECONOMIC DEVELOPMENT ELEMENT OF THE COMPREHENSIVE PLAN 2024.**

**CALL TO ORDER.....**

**INVOCATION.....**

**PLEDGE OF ALLEGIANCE.....**

**APPROVAL OF AGENDA.....**

**APPROVAL OF MINUTES.....**

August 13, 2024

**PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:**

1. Proclamation declaring September 17<sup>th</sup> as Constitution Day – Shelia Lancaster (meeting)
2. Public Information Update – PIO Staff

**NON-AGENDA ITEMS FROM PUBLIC.....30 Minute Time Limit**

**CONSENT AGENDA** – *The Consent Agenda covers items anticipated to be routine in nature. Any Councilmember may ask that an item be moved from the Consent Agenda to the Regular Agenda for lengthier discussion, items remaining on the Consent Agenda will be briefly described by staff.*

**CONSENT AGENDA**

**Motion M2024-75** to authorize the City Manager or his designee to accept a \$50,000 Utility Tax Credit grant from AT&T, to record the appropriation of such funds in the amount approved, and to execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No match is required.

*The funds will be used for road infrastructure expenditures in the A&I District as part of the Downtown Revitalization project.*

**REGULAR AGENDA**

**2<sup>nd</sup> Reading Ordinance 2024-49** approving execution of an easement agreement between the City of Myrtle Beach, as grantor, and DC Blox Inc., as grantee, concerning a portion of property having PIN# 443-15-03-0038 owned by the City of Myrtle Beach.

*DC Blox plans to construct its second Myrtle Beach area transoceanic subsea data cable and associated infrastructure and intends to make landfall in the city limits at Hurl Rock Park. DC Blox has requested the city grant it an easement on a portion of Hurl Rock Park for the purpose of constructing and maintaining such subsea cable landing infrastructure, including bored underground conduits and other infrastructure. Easement Agreement gives DC Blox right to install and maintain underground fiber optic cable infrastructure in the easement area. Upon completion, DC Blox will return the property to at least the same or similar condition existing before such work was performed. DC Blox will pay the city \$200,000 as compensation.*

**2<sup>nd</sup> Reading Ordinance 2024-51 to rezone ~8.83 acres and the adjacent rights-of-way along South Ocean Boulevard, Cassandra Lane, Sand Dunes Drive, 22<sup>nd</sup> Avenue South, and 21st Avenue South from Planned Unit Development (21<sup>st</sup> Ave S PUD) to MU-H (Mixed Use – High Density).**

*Planned Unit Developments (PUD) are individual zoning districts unique to specific development plans comprised of compatible uses and densities. The 21st Ave S PUD was adopted in 2004. Phases 1, 2 and some of phase 5 were constructed according to the PUD. No progress was ever made on phases 3 and 4. Since its adoption in 2004, several of the properties within the PUD have changed hands. New owners of the older hotels in Phases 3 and 4 have recently invested over a million dollars in renovations to the existing structures. It is unlikely the PUD will ever be completed as originally envisioned.*

**2<sup>nd</sup> Reading Ordinance 2024-52 to amend Article 2 of the Zoning Code to add a definition for “racket sport facilities (indoor/outdoor)” and to amend section 1407.c. of the zoning code to add “racket sport facilities (indoor/outdoor) as a permitted use in the LM (Light Manufacturing) Zoning District.**

*Tennis Facilities, Indoor and Outdoor, is not a permitted use within the LM district. The applicant is requesting a broader definition to also capture racquetball and tennis along with pickleball.*

Approving this change would impact all LM (Light Manufacturing) zones throughout the city. Planning Commission (8.6.24): Recommends approval (7/0). Changes since 1st reading:

- Staff recommends a change to remove tennis facilities from the permitted use table and replacing it with a more general term, racket sport facilities

### **1<sup>st</sup> Reading Ordinance 2024-53 to enact the City of Myrtle Beach Comprehensive Plan – 2024.**

The State of South Carolina requires an update to each municipality's comprehensive plan every 10 years. The most recent adoption of the City of Myrtle Beach's comprehensive plan occurred in 2021. To ensure Myrtle Beach's comprehensive plan remains current and to prevent any issues arising from the State's 10-year requirement, Planning Staff and Planning Commission have resolved to continually update the comprehensive plan an element at a time. The 2024 Comprehensive Plan focuses on Economic Development, seeking to identify, understand, and capitalize on the current strengths and opportunities of our community and provide clarity on the direction Myrtle Beach will take for the next decade.

Public Notification:

- Planning Commission agendas published and posted March 2023 – July 2024.
- Public Engagement notices posted on the City's Facebook Page.
- Legal ad ran in the Myrtle Beach Herald on July 26, 2024.
- Three public engagement sessions were held over the span of a month. These sessions were located at Mary C. Cantz Rec Center, Pepper Geddings Rec Center, and Gen. Robert H. Reed Rec Center.
- Additionally, an online survey was open to the public. Over 1,000 comments were provided to city staff.

### **1<sup>st</sup> Reading Ordinance 2024-54 approving consent to the inclusion of certain property in a multi-county industrial or business park; approving the provision of certain special source revenue credits to IRH Myrtle Beach LLC; authorizing the execution and delivery of additional documents; and other related matters.**

The Developer and the County have agreed to terms of a Fee-in-Lieu of Tax (FILOT) and associated Special Source Revenue Credits (SSRC). The property must be included in a Multi County Business Park in order to qualify for the FILOT and SSRC. The project will invest \$40,000,000 to construct a dormitory style housing to accommodate up to 1,200 employees participating in the BridgeUSA J-1 work-travel program, H-2B participants and U.S. college internship program participants. Because the project is located within the city, it is required that the counties obtain the consent of the city prior to the inclusion of the property in the park, or any associated incentives be extended to the developer. The term of the FILOT is no more than 30 years with a fixed total millage of no less than 273.2 mills.

- The SSRC is structured to provide a credit of 75% back to the developer for the first five years, and a credit of 50% for years six through twenty.
- The property is currently undeveloped and generating very little revenue \$30.
- Assuming a \$40,000,000 investment, the development would generate approximately \$200,000 in property taxes annually, if not for this agreement.
- The city will still collect approximately \$50,000 per year in years 1-5, \$100,000 per year in years 6-20 and \$200,000 thereafter assuming no appreciation.

### **1<sup>st</sup> Reading Ordinance 2024-55 to amend the Code of Ordinances, City of Myrtle Beach, Appendix A Zoning, Section 1407.c Permitted Uses to add bars, taverns as a conditional use in the light manufacturing districts and Article 1501 Conditional Uses to add the applicable conditions.**

*The applicant would like to develop a new business concept to Myrtle Beach: a dog park with alcohol service. The applicant collaborated with Planning Commission and staff to amend their request to allow bars and taverns in the LM (Light Manufacturing) district with conditions based on the amount of affiliated usable outdoor space, instead of revenue.*

*The proposed conditions are:*

- *The facility shall have no less than 65% usable open space not to include parking.*
- *Parking calculation shall be determined based on the standard 1 space per 100 sq. ft. of gross floor area, or the designed capacity of the facility divided by 2.5, whichever is greater.*

*Planning Commission: (8.20.24; 8-0) recommends approval*

**Resolution R2024-20 certifying a building site as an abandoned building site pursuant to the South Carolina Abandoned Buildings Revitalization Act, Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended, regarding property located at 1051 Shine Avenue in the City of Myrtle Beach, Horry County TMS# 186-00-01-137 and Horry County PIN# 446-02-02-0078.**

*The owner has acquired 1051 Shine Avenue to lease to a tenant to rehabilitate the structure into a restaurant. The Act is a state effort to incentivize the redevelopment of buildings that are at least 66% vacant for the past 5 years & are not income-producing. Single-family residences are not eligible. The minimum threshold for investment is \$250,000 for cities or counties w/ a population >25,000.*

*Available tax credits:*

- *Income tax credit:*
  - *Credit equals 25% of actual expenses (not exceed \$500,000 for any taxpayer in a tax year).*
  - *Credit must be taken over 3 years (beginning when the building is placed back in service).*
- *Property tax credit:*
  - *Credit equals 25% of actual expenses but the credit may not exceed 75% of the real property taxes due on the building.*
  - *Credit may be taken up to 8 years (beginning when the building is placed back in service).*

**Motion M2024-76 to appoint/reappoint three members to the Bicycle and Pedestrian Committee.**

*The terms of John Pedersen, Kathy Winfree, and Christopher Walters expire on August 26, 2024. All wish for reappointment. These three seats new expiration date is August 26, 2027. There is also one vacant seat with the expiration date of August 26, 2025. On file are the resumes of Brittany Marie Cicotte (City Resident) and Nina Miller (City Resident).*

**NON-AGENDA ITEMS FROM PUBLIC.....30 Minute Time Limit**

**COMMUNICATIONS FROM CITY BOARDS/COMMISSION MEMBERS**

**COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER**

1. Council Communications
2. CFO Update
3. CM/ACM Update

**REPORTS AND INFORMATION PRESENTATIONS FROM CITY STAFF**

**EXECUTIVE SESSION** - Council may take action on matters discussed in Executive Session which are deemed to be “emergency” concerns.

***Note: South Carolina law requires that Council's business is conducted in public with limited exceptions known as “Executive Sessions”. Subjects eligible for Executive Session include:***

- ***Personnel matters.***
- ***Negotiations concerning proposed contractual arrangements and proposed sale or purchase of property.***
- ***The receipt of legal advice relating to:***
  - ***A pending, threatened, or potential claim.***
  - ***Other matters covered by the attorney-client privilege.***
  - ***Settlement of legal claims, or the position of the City in other adversary situations.***
- ***Discussions regarding development of security personnel or devices.***
- ***Investigative proceedings regarding allegations of criminal misconduct.***
- ***Matters relating to the proposed location, expansion, or provision of services encouraging location or expansion of industries or other businesses.***

***Motions to go into Executive Session must be made in public and specify one or more reason above. Council can take no votes or take action in Executive Session.***

**ADJOURNMENT**