

October 11, 2022 – 1st Reading

1 **2022-44 (1st READING): APPROVING THE EXECUTION AND DELIVERY BY THE**
 2 **CITY OF MYRTLE BEACH, SOUTH CAROLINA, OF A LEASE BETWEEN THE**
 3 **CITY, AS LESSOR, AND, ENHANCED SPEED & AGILITY, LLC AS LESSEE,**
 4 **WITH RESPECT TO BUILDING LOCATED AT 513 NINTH AVENUE NORTH IN**
 5 **THE CITY OF MYRTLE BEACH.**
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7 **Applicant/Purpose:** Staff / to enter into a lease with Enhanced Speed & Agility, LLC for 513 9th
 8 Ave. North.
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10 **Brief:**

- 11 • The City owns 513 9th Ave. North.
- 12 • Enhanced Speed & Agility is a local personal trainer that desires to lease the property.
- 13 • The tenant has focused on young athletes but plans to grow the business to offer more
 14 services to the public.

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 16 **Issues:**

- 17 • Prior to ESI, LLC occupying the building, the City shall:
 - 18 ○ Install HVAC duct work
 - 19 ○ Level existing floor – if needed
 - 20 ○ Run water lines to the restrooms – if needed
 - 21 ○ Provide fire suppression – if needed
 - 22 ○ Provide up to \$5,000 for bathroom buildouts.
- 23 • Tenant will maintain industrial/rough finished aesthetic – minimal up fit
- 24 • Business will draw people from across the Grand Strand to downtown
 - 25 ○ ESI, LLC currently works with athletes from a number of surrounding counties.
- 26 • Tenant understands that much of the area will be under construction during the length of
 27 his lease.
- 28 • ESI, LLC is a destination business and does not require traditional street visibility or
 29 exposure.

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 31 **Public Notification:** Normal meeting notification
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33 **Alternatives:** Approve the lease or deny the lease.
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35 **Financial Impact:**

- 36 • The lease is for 5 yrs., (11.1.2022– 12.31.26)
- 37 • Rental rates:
 - 38 ○ Months 1-2 no rent
 - 39 ○ Months 3-4 \$1,565.00/ Month
 - 40 ○ 03/2022 - 12/31/2024 \$3,130.00/Month
 - 41 ○ 01/01/2025 – 12/31/2025 \$3,192.00/Month
 - 42 ○ 01/01/2026 – 12/31/2026 \$3,256.00/Month

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 44 **Manager's Recommendation:**

- 45 • I recommend 1st Reading (10.11.2022)

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 47 **Attachment(s):** Proposed ordinance, lease agreement

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**CITY OF MYRTLE BEACH
COUNTY OF HORRY
STATE OF SOUTH CAROLINA**

**APPROVING THE EXECUTION AND
DELIVERY BY THE CITY OF MYRTLE
BEACH, SOUTH CAROLINA, OF A LEASE
BETWEEN THE CITY, AS LESSOR, AND,
ENHANCED SPEED & AGILITY, LLC AS
LESSEE, WITH RESPECT TO BUILDING
LOCATED AT 513 NINTH AVENUE NORTH IN
THE CITY OF MYRTLE BEACH.**

WHEREAS, the City of Myrtle Beach, South Carolina (the "City"), is an incorporated municipality located in Horry County, South Carolina, and has all powers granted to municipalities by the Constitution and general laws of this State; and

WHEREAS, Section 5-7-40 of the Code of Laws of South Carolina 1976, as amended, empowers all municipalities to own and possess real and personal property and such municipalities may lease any such property; and

WHEREAS, the City is the fee owner of certain historic buildings located on Ninth Avenue North including 513 Ninth Avenue, in the City of Myrtle Beach; and

WHEREAS, the City desires to enter into a Lease Agreement ("Lease") with Enhanced Speed & Agility, LLC, for the purpose of leasing property located at 513 Ninth Avenue North; and

WHEREAS, it is in the best interest of the City to enter into the lease as it will further the City's program of downtown redevelopment as well as the goals of the Arts and Innovation District;

NOW, THEREFORE, IT IS ORDAINED that City Council does hereby approve the lease of 513 Ninth Avenue North to Enhanced Speed & Agility, LLC pursuant to the Lease attached hereto as Exhibit A and incorporated herein by reference; and

The form, terms and provisions of the Lease, together with such changes as the officers of the City authorized to execute and deliver the Lease shall approve, are hereby approved. The City Manager and Assistant City Manager, or either one of them, acting alone, are hereby authorized and directed to execute, acknowledge and deliver, the Lease in the name of and on behalf of the City. The Lease is to be in substantially the form attached to this Ordinance as Exhibit A, with such changes as shall be approved by the City Manager or Assistant City Manager, or either one of them, acting alone, such person's or persons' execution and delivery thereof to constitute conclusive evidence of approval of any and all changes or revisions therein from the Lease now before this meeting.

The City Manager and the Assistant City Manager, for and on behalf of the City, are fully empowered and authorized to take such further action and to execute and deliver such additional documents as may be necessary to effect the execution and delivery of the Lease in accordance with the terms and conditions therein set forth, and the transactions contemplated hereby and thereby, and the action of such officers in executing and delivering any of such documents is hereby fully authorized.

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The provisions of this Ordinance shall be effective upon its adoption.

ENACTED by the City Council of the City of Myrtle Beach, South Carolina, this ___day of_____, 2022.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK

1st Reading: 10/11/2022

2nd Reading: