



JOHN J. TECKLENBURG  
MAYOR

*City of Charleston*  
*South Carolina*

VANESSA TURNER-MAYBANK  
CLERK OF COUNCIL

*Clerk of Council Department*

**SPECIAL  
COMMUNITY DEVELOPMENT COMMITTEE AGENDA**

A meeting of the Community Development Committee will be held at **4:00 p.m., Tuesday, February 25, 2020 at 80 Broad Street, First Floor Conference Room.** The agenda will be as follows:

- Invocation

**a. Public Participation**

**b. New Business:**

1. A RESOLUTION TO CERTIFY PURSUANT TO SOUTH CAROLINA ABANDONED BUILDINGS REVITLIZATION ACT THREE (3) BUILDING SITES LOCATED AT 286-288 KING STREET, CHARLESTON COUNTY, TMS #457-04-04-042.

**Adjourn**

If you have a conflict with this meeting, and will not be present, please call the Clerk's Office at 724-3726. Thank you for your cooperation in this matter.

VANESSA TURNER MAYBANK  
CLERK OF COUNCIL

In accordance with the Americans with Disabilities Act, people who need alternative formats, ASL (American Sign Language) Interpretation or other accommodation please contact Janet Schumacher at (843) 577-1389 or email to [schumacherj@charleston-sc.gov](mailto:schumacherj@charleston-sc.gov) three business days prior to the meeting.

## RESOLUTION

### **TO CERTIFY PURSUANT TO SOUTH CAROLINA ABANDONED BUILDINGS REVITLIZATION ACT THREE (3) BUILDING SITES LOCATED AT 286-288 KING STREET, CHARLESTON COUNTY, TMS #457-04-04-042.**

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

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

WHEREAS, Section 12-67-120 of the Act provides the following definitions (in pertinent part):

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

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

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

WHEREAS, Section 12-67-140(E) of the Act provides (in pertinent part):

(E) For building sites which have had no portion thereof placed into service before July 1, 2018, and upon which is located a redeveloped multi-floor structure that is listed on the National Register of Historic Places, the taxpayer may subdivide the structure into separate units in the manner as provided for in this chapter, except that up to seven separate floors may be considered seven separate subdivided units if a floor is redeveloped for the exclusive use as a residential apartment or apartments; and

WHEREAS, Section 12-67-140(E) of the Act further provides that a taxpayer utilizing the provisions of subsection E must notify the department in writing of his or her intent to claim tax credits under the Act; and

WHEREAS, Blas-Milani Real Estate Holdings, LLC (the “Taxpayer”) is the owner and developer of certain real property located at 286-288 King Street (the “Property”), as referenced in that certain deed dated April 6, 2017 and recorded April 7, 2017 in the Charleston County Register of Mesne Conveyances Office in Book 0628 at Page 983, which property is further identified on the Charleston County Tax Maps as TMS No. 457-04-04-042; and

WHEREAS, the Taxpayer has submitted to the South Carolina Department of Revenue, with a copy to the City, a notification in writing, pursuant to Section 12-67-140(E), of the Taxpayer’s intent to claim tax credits against certain income taxes, license fees or premium taxes as provided in Section 12-67-140(A)(1) rather than a credit against property taxes as provided in Section 12-67-140(A)(2); and

WHEREAS, no portion of the Property was placed in service before July 1, 2018; and

WHEREAS, the Property is a multi-floor structure that is listed on the National Register of Historic Places; and

WHEREAS, the Taxpayer has subdivided the structure into three separate units as follows:

- Unit #1: First floor
- Unit #2: Second floor
- Unit #3: Third floor; and

WHEREAS, Unit #1 is being redeveloped as commercial / retail space, and Unit #2 and Unit #3 are each being redeveloped for exclusive use as a residential apartment or apartments (as to each of the three such units, a “Building Site”); and

WHEREAS, the Property is located within the city limits of Charleston, South Carolina; and

WHEREAS, the Taxpayer has requested that the City certify that the Building Sites are abandoned as defined by Sections 12-67-120(1) and (2).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF CHARLESTON, IN CITY COUNCIL ASSEMBLED:

Section 1. The Taxpayer has submitted to the City a request to certify each of the Building Sites pursuant to Section 12-67-160 of the Act (the “Request to Certify”).

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

Section 3. The City hereby certifies that (i) each of the three Building Sites constitutes a separate abandoned building site as defined in Section 12-67-120(1) of the Act, and (ii) the geographic area of each of the Building Sites is consistent with Section 12-67-120(2) of the Act.

RESOLVED this \_\_\_\_\_ day of February 2020 in City Council Chambers.

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John J. Tecklenburg  
Mayor

ATTEST:

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Vanessa Turner-Maybank  
Clerk of Council