

April 9, 2024

MINUTES OF THE BROOKNEAL TOWN COUNCIL

6:30 PM – Hearing for property owner of 311 Virginia Avenue

The municipal government of the Town of Brookneal met with the following members present:

Kenneth Jennings, Mayor

Mark Wilkes, Vice Mayor

Barbara Laprade (6:42 p.m.), Joseph David, Cynthia Johnson, Scott Fisher and Conner Francis, Council Members

Mike Crews, Public Works Director

Bobbie Waller, Clerk/Treasurer

Robert Kolich, Chief of Police

INVOCATION AND PLEDGE OF ALLEGIANCE TO THE FLAG

HEARING FOR THE PROPERTY OWNER AT 311 VIRGINIA AVENUE

Mr. Brian Terrebonne of Sterling, VA, the owner of 311 Virginia Avenue, appeared before Council after the Town attorney sent him notice of a hearing 4/9/24 about the remediation of nuisance conditions upon tax map # 103C 27 6 31A, 311 Virginia Avenue, Brookneal, VA 24528.

He said that he purchased the property on a whim, thinking that Brookneal might be a good location for that type of property. He said that as he evaluated it over the years, the numbers just didn't make sense. He said for what needs to be invested into it, which he said he is fully capable of doing, the end result is inverted because the property values here have not followed a trajectory that several other jurisdictions have. He said he received a letter about 9 days ago regarding that the property was a hazard, citing by the fire marshal that the property was a hazard. He said he met with the fire marshal today, and he said it was due to the fact that the back door is open, and it is accessible to the public. He said he had a structural engineer look at the property in October to confirm if the property would be suitable for redevelopment. He said he was told it was, but it needed a new roof and a gut job rehab, with a total cost estimated of \$250,000. He said the property in its current state, its highest and best use, under what he thought was grandfathered in, but he was told earlier that that might not be the case. He said because the property sat vacant for 2 years, apparently the Town ordinance says that you lose that grandfathered right to utilize it for what it was assigned for to begin with which was a 5 or 6 unit apartment building. He said it is currently zoned R1; he said that it doesn't make sense to him to do anything other than board it up and challenge it in court or give the Town the opportunity of allowing him to utilize the grandfathered use. He said he was barely able to justify it as a rental because he doesn't think it would go for more than \$600 per 2 bedroom rental. He said it is 4-2 bedrooms and 2-1 bedrooms in the property. He said he has 3 choices to make, (1) board it up and hope things change in Brookneal, (2) move forward with its highest and best use as apartments or (3) even better use with another \$100,000 investment to make it an assisted living facility. He said he hasn't studied the demographics here yet, but he is

assuming this is something that the County could use; he also mentioned a veterans' home but again the location isn't ideal. He said the value is drawn down with 2,000 square foot homes surrounding the 5,000 square foot building. He said investing \$250,000 means he might have a \$200,000 investment out of it; he said he might could make that up in rent over time. He said he is still up in the air about what to do with the property; he said he doesn't want to create a hardship on the Town Council with public access. He said he has spoken to a investor/developer who is a prominent individual in this area. He said they are going to give him a decision on it 4/10/24; he said he may end up wholesaling it to them. He said he is in Northern Virginia about 4 hours away, his time is extremely valuable, and he is a hard person to get in touch with. He said he is a licensed class A builder and he could manage this; but this property has been a problem for him as well as the Town; the economics don't work, and he is worried about the future of the Town.

Councilperson David said that this structure is the 3rd structure the town has started working on this year. He said that the Council wants the Town to turn around and grow, but properties like these are killing the growth of the Town. He said putting a fence around it and letting it sit there and fall down is not going to help; Mr. Terrebonne agreed. Mr. Terrebonne said if you look at it from an investment point of view; the infrastructure, the job opportunities, the demographics; he said he imagined people are going to college and moving away from Brookneal. He encouraged the Town to look at Loudon County, and what they have done to attract businesses. He said he would prefer to develop it rather than board it up.

Interim Town Manager Mike Crews said boarding up the property and putting a fence around it is not going to suffice; the longer it sits, the more it is going to deteriorate and you will be right back to where you started.

Mr. Terrebonne said that he is on the horizon of making a firm decision. He said he would know tomorrow if he can wholesale it; and if he can't, then he will speak to the principles in his company to see if they will pull the trigger. He said it has to make sense to them; he said to him it is inverted. When asked about the investor he mentioned, he said the investor would rehab it, and it would need to be apartments.

Councilperson David said that even though letters had been sent to Mr. Terrebonne about a year ago, the Town's interest was peaked when the property was posted for sale on Facebook a few weeks before. He said people were going to the property and walking around and someone could have fallen through the floor. Mr. Terrebonne said that it was not his intention for anyone to be walking around on the property; he said it was locked up, and he doesn't know how the back door got open. Vice Mayor Wilkes asked Mr. Terrebonne how much time did he need to make a decision; Mr. Terrebonne replied that it would probably take him less than a week. He said that no one is going to look at it as a single family home with 5,000 square foot in a 2,000 square foot home neighborhood; he said no one is going to buy it because it pulls the value down of the other homes in the area.

For clarification, Ms. Waller asked if Mr. Terrebonne could get a special use permit for an apartment building; Mr. Crews said that it is possible depending upon what the Council wants to do. Mr. David said that citizens complained about run down buildings and how the town was going down and the Council did not do anything; he said there is money in the budget for blight removal and time is running out on using this money. Mr. Crews clarified that it is not very much money available.

- **MOTION TO DECLARE 311 VIRGINIA AVENUE A PUBLIC NUISANCE**

Upon motion by Conner Francis, seconded by Cynthia Johnson, and unanimously approved, the Council voted to declare the property at 311 Virginia Avenue a public nuisance. Another motion was made by Cynthia Johnson, seconded by Conner Francis and unanimously approved to give Mr. Terrebonne 30 days to remedy the situation at 311 Virginia Avenue.

ADJOURNMENT

Upon motion by Cynthia Johnson, seconded by Conner Francis, and unanimously carried, Mayor Jennings announced that the hearing was adjourned.

Bobbie A. Waller
Clerk/Treasurer

Kenneth Jennings
Mayor