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February 5, 2010

Honorable Phyllis Marcuccio, Mayor
and Members of the City Council
City of Rockville
111 Maryland Avenue
Rockville, MD 20850

RE: Request for Letter of Support for Victory Housing, Inc.'s Application for State Tax
Credit Financing re the Victory Court Senior Housing Project

Dear Mayor Marcuccio and Members of the Rockville City Council:

Needless to say, Victory Housing, Inc. (VHI) was very disappointed by the statements made by certain members of the community at this past Monday's Citizens Forum with regard to the Victory Court Senior Housing Project. It was our sincere belief that in light of the extensive amount of work done by VHI to date on this project with both the City and community members that a request for the Mayor and Council's support allowing the project to apply for financing, that would further its stated goal of 100% affordability for Victory Court, would be justified at this point in time.

The Victory Court project is the first to go through the City's new Zoning Ordinance review process, which requires an unprecedented amount of community involvement in every step of the City's development review process, as intended by RORZOR. But even beyond the required meetings, VHI has continuously met with representatives of the community to apprise them of the latest plans and to gain feedback, in addition to responding to inquiries and/or requests for information from community representatives throughout the development review process.

For the record, the following table provides a summary of community meetings conducted to date:

02/19/08	Meeting with WECA President and Courthouse Walk representative
05/06/08	Meeting with Courthouse Walk re site plan
07/15/08	Meeting with Courthouse Walk re site plan / stormwater management issues
04/08/09	Meeting with Courthouse Walk and WECA members
04/28/09	Special Exception Pre-Application Area Meeting
07/06/09	Meeting with Courthouse Walk re abandonment issues
07/19/09	Special Exception Post-Application Area Meeting
09/03/09	New Mark Commons Board Meeting Presentation
09/17/09	WECA Board Meeting Presentation
01/16/10	Meeting with Courthouse Walk (Alice Liu, Noreen Bryan, Laurent Myers) to discuss re-design of building
01/28/10	Site Plan Pre-Application Area Meeting

Furthermore, the project has been thoroughly reviewed by three (3) of the City's boards/commissions, i.e., Historic District Commission, Planning Commission and Board of Appeals, all of whose members are appointed by the Mayor and Council to review and render decisions pursuant to laws/guidelines established by the City in its Zoning Ordinance, Master Plan, and other land use regulations. Specifically, the recent Special Exception approval issued by the Board of Appeals resulted only after three (3) extensive Saturday hearings and a balloon test conducted on-site.

Despite all of the above, the suggestion that the Mayor and Council's support for purposes of tax credit financing could only be contingent upon essentially a re-review of the development parameters that have been approved by the Board of Appeals for the project (i.e., density, massing, height, setback, etc.) in a further public hearing by the Mayor and Council, was disappointing. Such a hearing would be outside of the City's established development review process and is one that would be inappropriate if used in the manner suggested by some members of the community.

In light of all of the above, we regret to inform you that Victory Housing, Inc. must withdraw its previous request for Mayor and Council approval of a letter of support for its application to receive tax credit financing for the Victory Court Senior Housing Project.

Thank you for your attention to this matter.

Sincerely yours,

MILLER, MILLER & CANBY

Jody KLINE

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