

Map compiled on July 03, 2006 at 10:07 AM | Site located on base sheet no - 214NW03

NOTICE

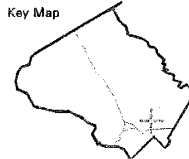
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Property lines are compiled by adjusting the property lines to topography created from aerial photography and should not be interpreted as actual field surveys. Planimetric features were compiled from 1:14400 scale aerial photography using stereo photogrammetric methods.

This map is created from a variety of data sources, and may not reflect the most current conditions in any one location and may not be completely accurate or up to date. All map features are approximately within five feet of their true location. This map may not be the same as a map of the same area plotted at an earlier time as the data is continuously updated. Use of this map, other than for general planning purposes is not recommended. - Copyright 1998

** See S.E. Map for exact boundaries*

Key Map



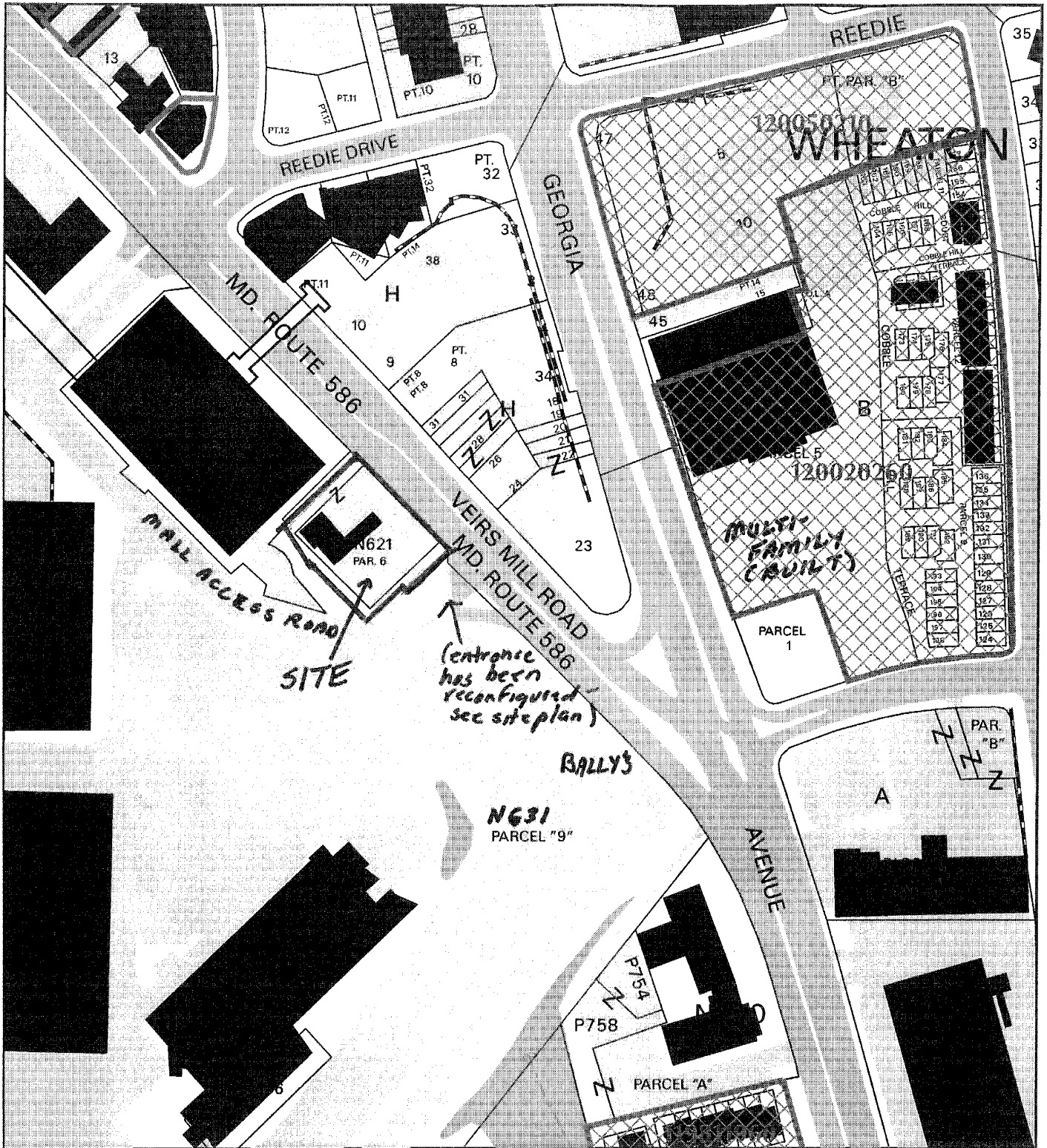
N



Research & Technology Center



1 inch = 800 feet
1 : 9600



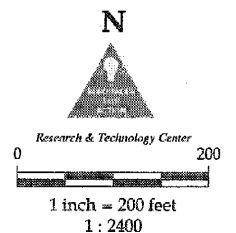
Map compiled on July 03, 2006 at 10:37 AM | Site located on base sheet no - 214NW02

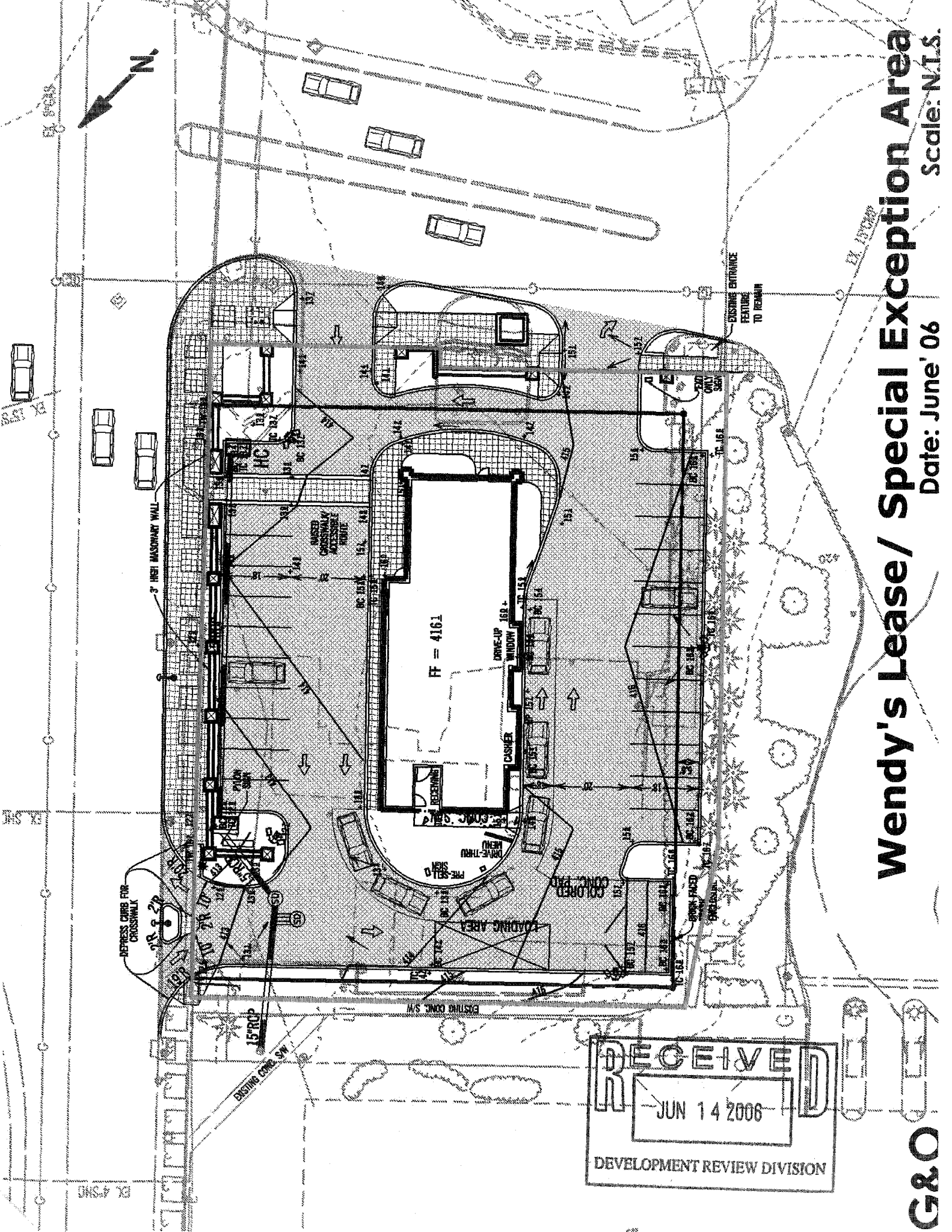
NOTICE

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Wendy's Lease/ Special Exception Area

Scale: N.T.S.

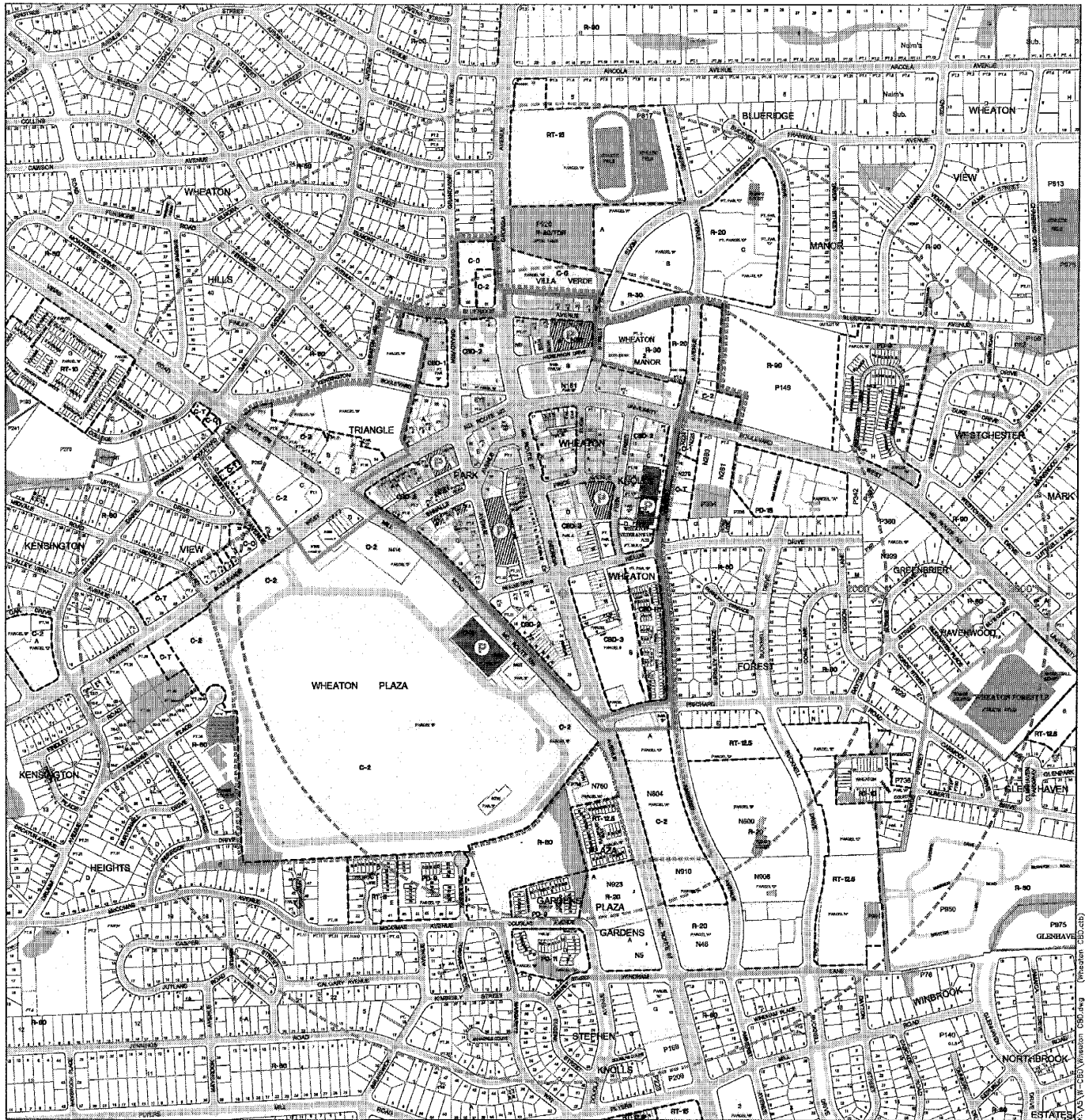
Date: June' 06

RECEIVED
 JUN 14 2006
 DEVELOPMENT REVIEW DIVISION






G&O

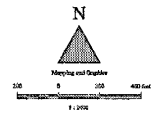
VICINITY MAP FOR
WHEATON CBD

BOUNDARIES PLAN

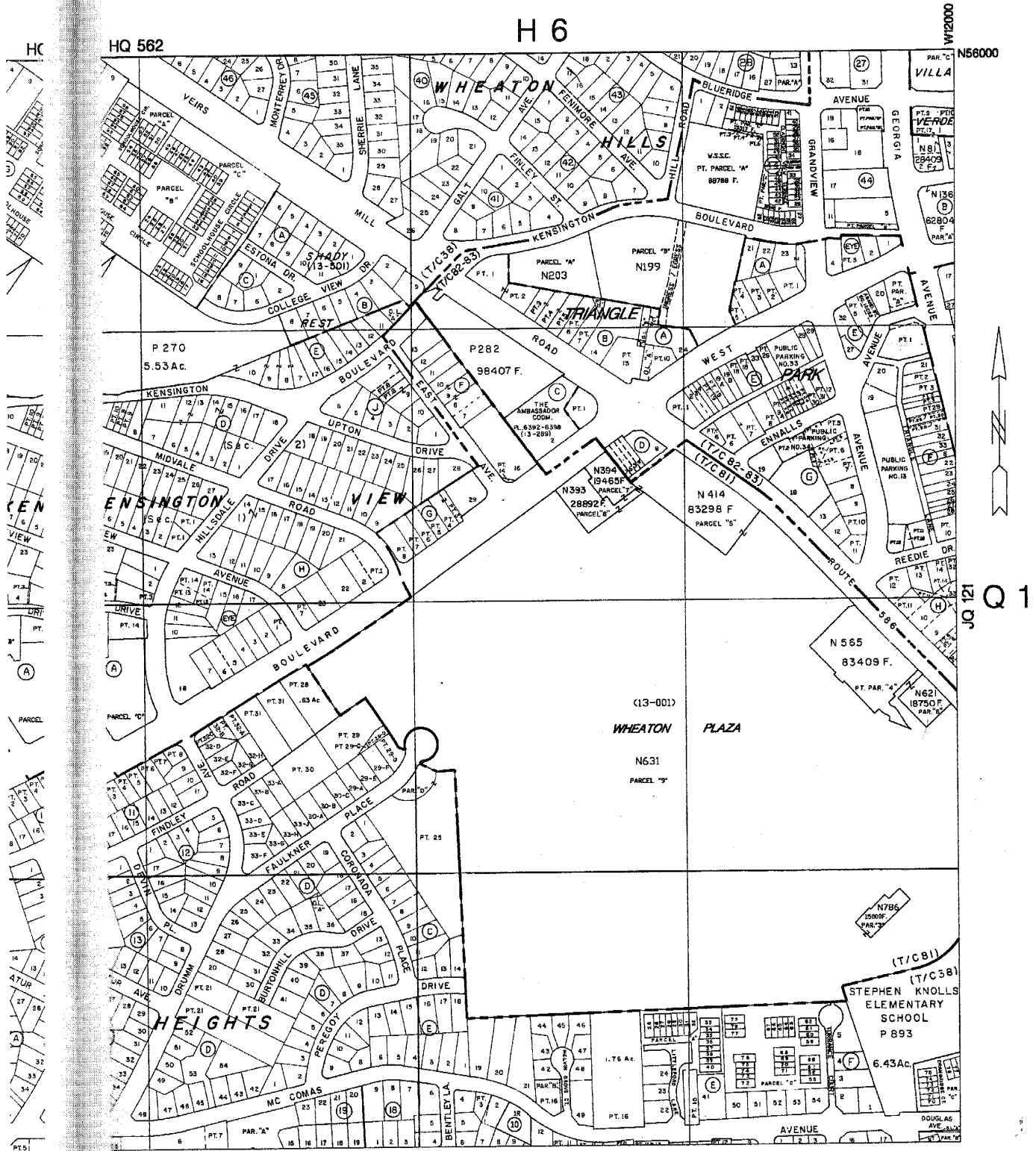


LEGEND

-  WHEATON OVERLAY ZONE
-  SECTOR PLAN BOUNDARY
-  URBAN DISTRICT BOUNDARY
-  O.B.D. BOUNDARY
-  PARKING DISTRICT BOUNDARY



TAX MAP



HC
HQ 562
KEN
VIEW
DRIVE
PT.
PARCEL
HP 563
HF

N56000
Q 1
JQ 121

PROPERTY
SUBDIVISION
TO AN ADJACENT
OWNER BY
STRAWN OR
CONTRACTOR
SCALE 1
LAMP

PROPERTY LINE
UNDERSHOWN BOUNDARY
LINE 3/4" WIDE
RECORDING
DATE 1/1/80
SCALE 1"=200' (RP 12400)



H 6
MONTGOMERY CO.,
MARYLAND

MAP HQ 561
W.S.S.C. 214 NW 03
Location: WHEATON

CURVE DATA

NO	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
1	175.00	87.50	175.00	175.00	90° 00' 00"
2	175.00	87.50	175.00	175.00	90° 00' 00"
3	175.00	87.50	175.00	175.00	90° 00' 00"
4	175.00	87.50	175.00	175.00	90° 00' 00"
5	175.00	87.50	175.00	175.00	90° 00' 00"
6	175.00	87.50	175.00	175.00	90° 00' 00"
7	175.00	87.50	175.00	175.00	90° 00' 00"
8	175.00	87.50	175.00	175.00	90° 00' 00"
9	175.00	87.50	175.00	175.00	90° 00' 00"
10	175.00	87.50	175.00	175.00	90° 00' 00"

ENGINEER'S CERTIFICATE

I hereby certify that the plan shown hereon is correct, that it is a subdivision of the lands described in a Declaration of Assents and Covenants by and between, H. Max Ammerman, Trustee, Angus Corporation, a Maryland Corporation, Braemar Corporation, a Maryland Corporation, Evan Corporation, a Maryland Corporation and Sheldon Corporation, a Maryland Corporation, dated May 19, 1960 and recorded among the Land Records of Montgomery County, Maryland in Liber 2337 at Folio 16, and that it is a subdivision of part of Parcel 1A, WHEATON PLAZA as recorded among the Land Records in Plat Book 55 on Plat 4394. All Land for Street widening has been previously dedicated or conveyed to the Maryland State Roads Commission.

July 18, 1960. *Thomas G. Oyster*
 Registered Land Surveyor, Md #4673

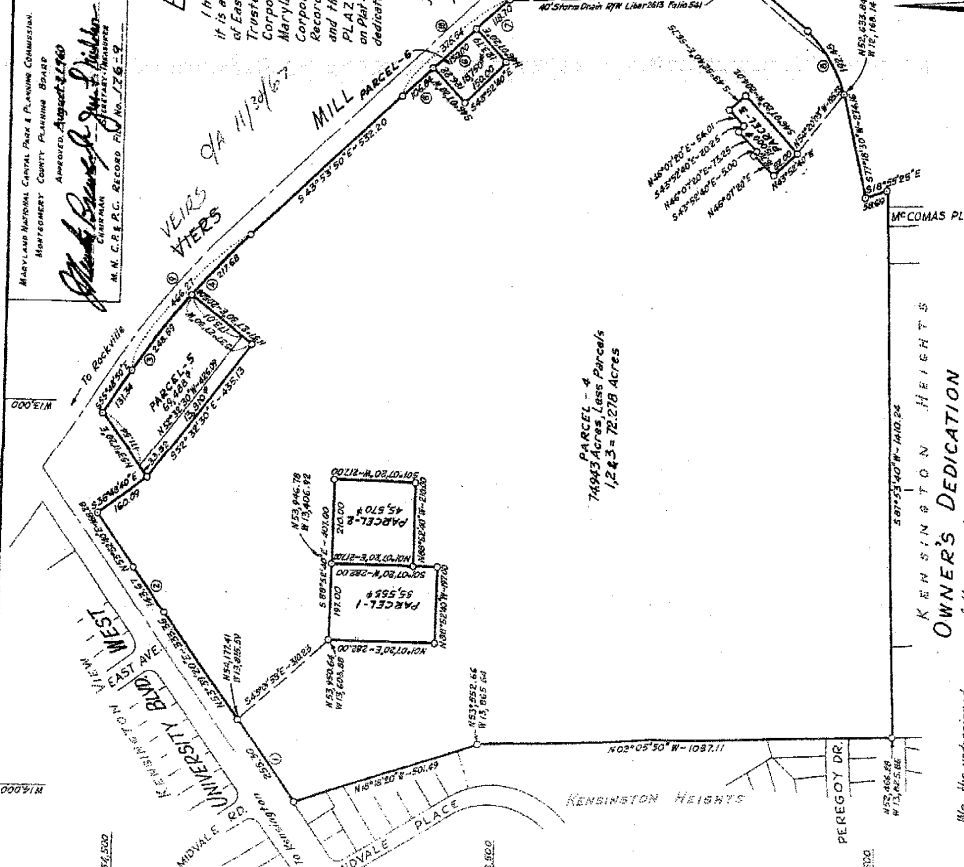
NOTE:
 Eight-of-way lines for University Boulevard West, and Viers Mill Road as delineated hereon have been established from points found in the field in accordance with M.S.R.C. Plats No. 12680, 12681, 12682, 13759 and 23543.

AREAS
 PARCEL #1-1.275 Acres
 PARCEL #2-1.046 Acres
 PARCEL #3-0.344 Acres
 PARCEL #4-74.943 Acres
 PARCEL #5-1.912 Acres
 PARCEL #6-0.430 Acres

Note:
 The coordinate values shown hereon have been established by using values of the Washington Suburban Sanitary Commission traverse hub No. 10008 as N. 54° 103.20 and W. 12,420.03 and bearing from azimuth of line between Washington Suburban Sanitary Commission hubs No. 10008 and No. 10009 as 189° 33' 46"

RECORDED: 8-11-60
 PLAT BOOK: 55
 PLAT NO.: 6037

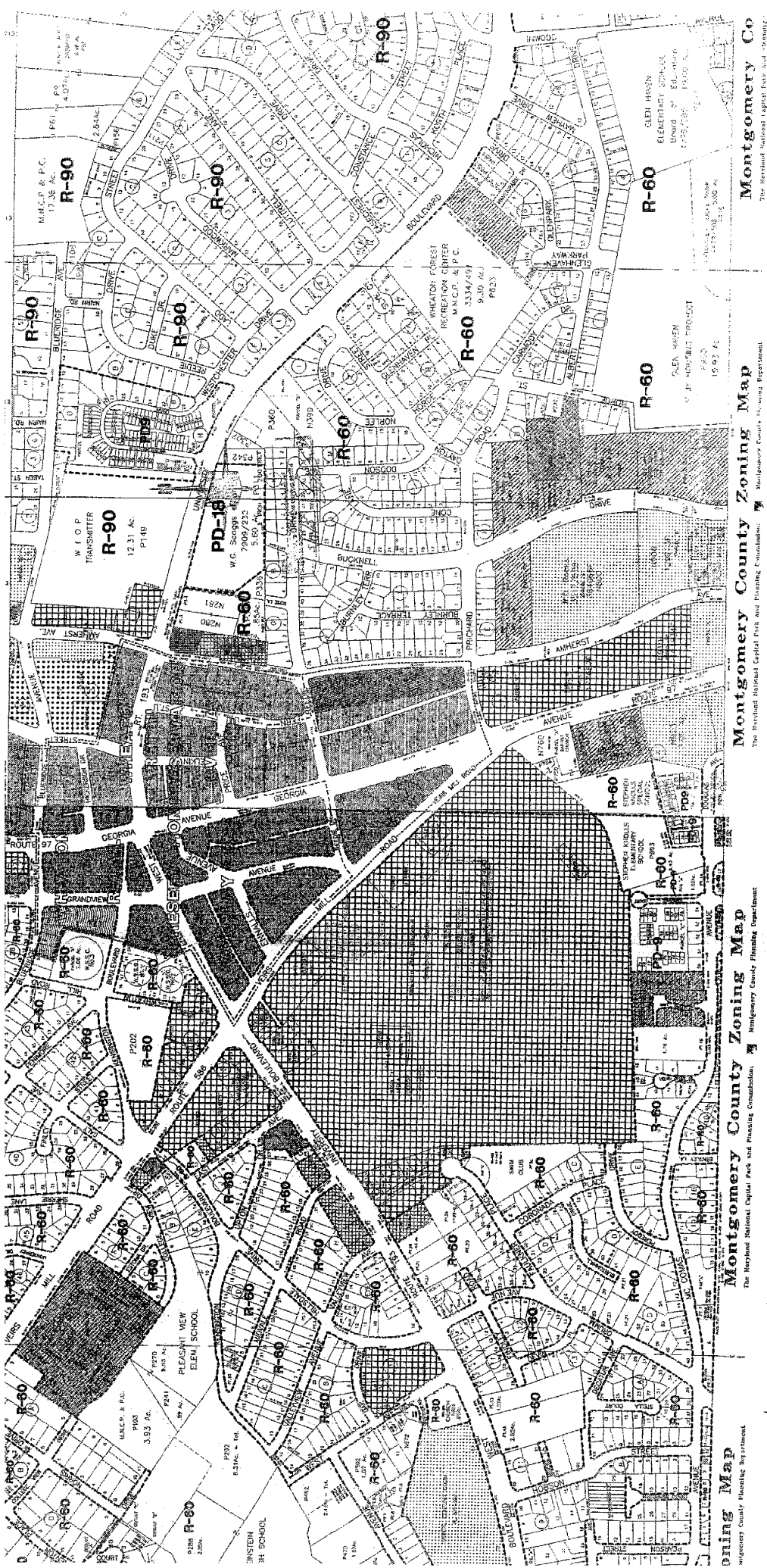
WHEATON PLAZA
 Montgomery County, Maryland.
 SCALE: 1"=200' July, 1960
 THOMAS G. OYSTER & ASSOCIATES, INC.
 ENGINEERS AND SURVEYORS
 2419 REEDIE DRIVE
 WHEATON, MARYLAND



OWNER'S DEDICATION

We, the undersigned, owners of the property shown and described hereon, hereby adopt this plan of subdivision.

PARCEL	Date	Owners Signature	Witness
1		<i>Thomas G. Oyster</i>	<i>Paul R. Holt</i>
2		<i>Thomas G. Oyster</i>	<i>Paul R. Holt</i>
3		<i>Thomas G. Oyster</i>	<i>Paul R. Holt</i>
4		<i>Thomas G. Oyster</i>	<i>Paul R. Holt</i>
5		<i>Thomas G. Oyster</i>	<i>Paul R. Holt</i>
6		<i>Thomas G. Oyster</i>	<i>Paul R. Holt</i>



ZONING
MAP

oning Map
Montgomery County Planning Department

Montgomery County Zoning Map
The Maryland National Capital Park and Planning Commission

Montgomery County Zoning Map
The Maryland National Capital Park and Planning Commission

Montgomery Co
The Maryland National Capital Park and Planning Commission

REPLACEMENT	REPLACEMENT
ALTERATION	ALTERATION
CONVERSION	CONVERSION
REMOVAL	REMOVAL
DEMOLITION	DEMOLITION

REPLACEMENT	REPLACEMENT
ALTERATION	ALTERATION
CONVERSION	CONVERSION
REMOVAL	REMOVAL
DEMOLITION	DEMOLITION

REPLACEMENT	REPLACEMENT
ALTERATION	ALTERATION
CONVERSION	CONVERSION
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REPLACEMENT	REPLACEMENT
ALTERATION	ALTERATION
CONVERSION	CONVERSION
REMOVAL	REMOVAL
DEMOLITION	DEMOLITION

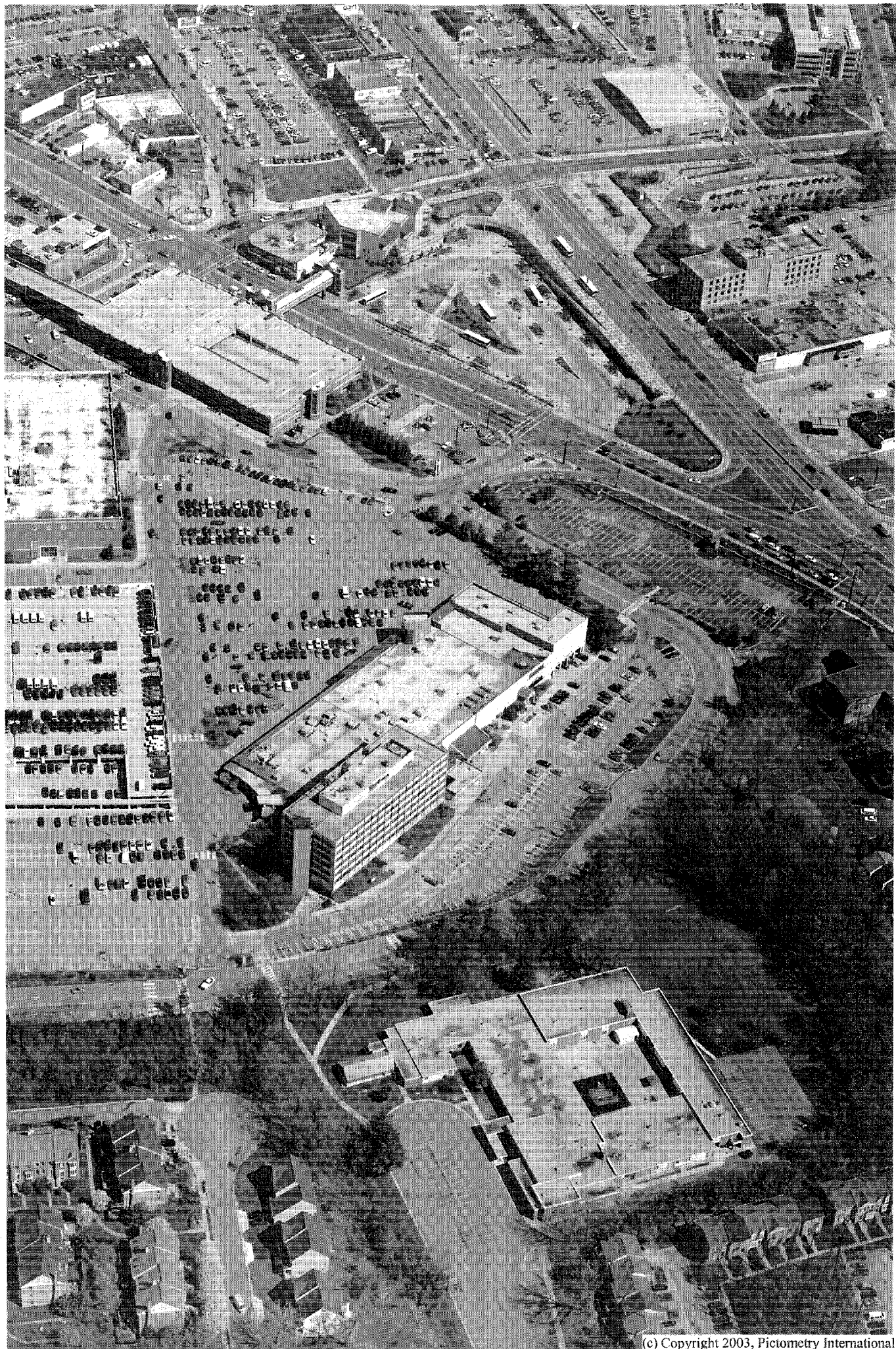
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ALTERATION	ALTERATION
CONVERSION	CONVERSION
REMOVAL	REMOVAL
DEMOLITION	DEMOLITION

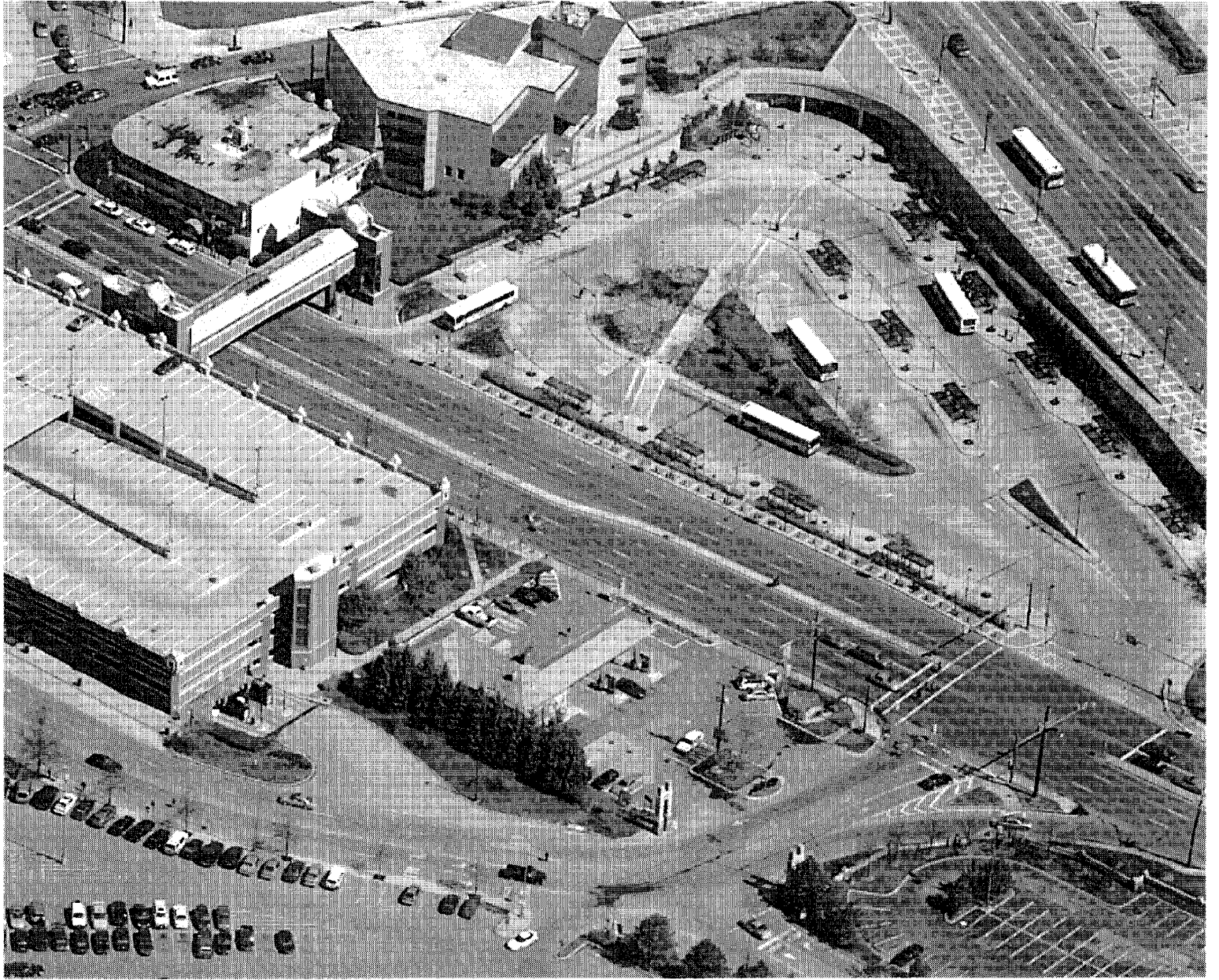
REPLACEMENT	REPLACEMENT
ALTERATION	ALTERATION
CONVERSION	CONVERSION
REMOVAL	REMOVAL
DEMOLITION	DEMOLITION

REPLACEMENT	REPLACEMENT
ALTERATION	ALTERATION
CONVERSION	CONVERSION
REMOVAL	REMOVAL
DEMOLITION	DEMOLITION

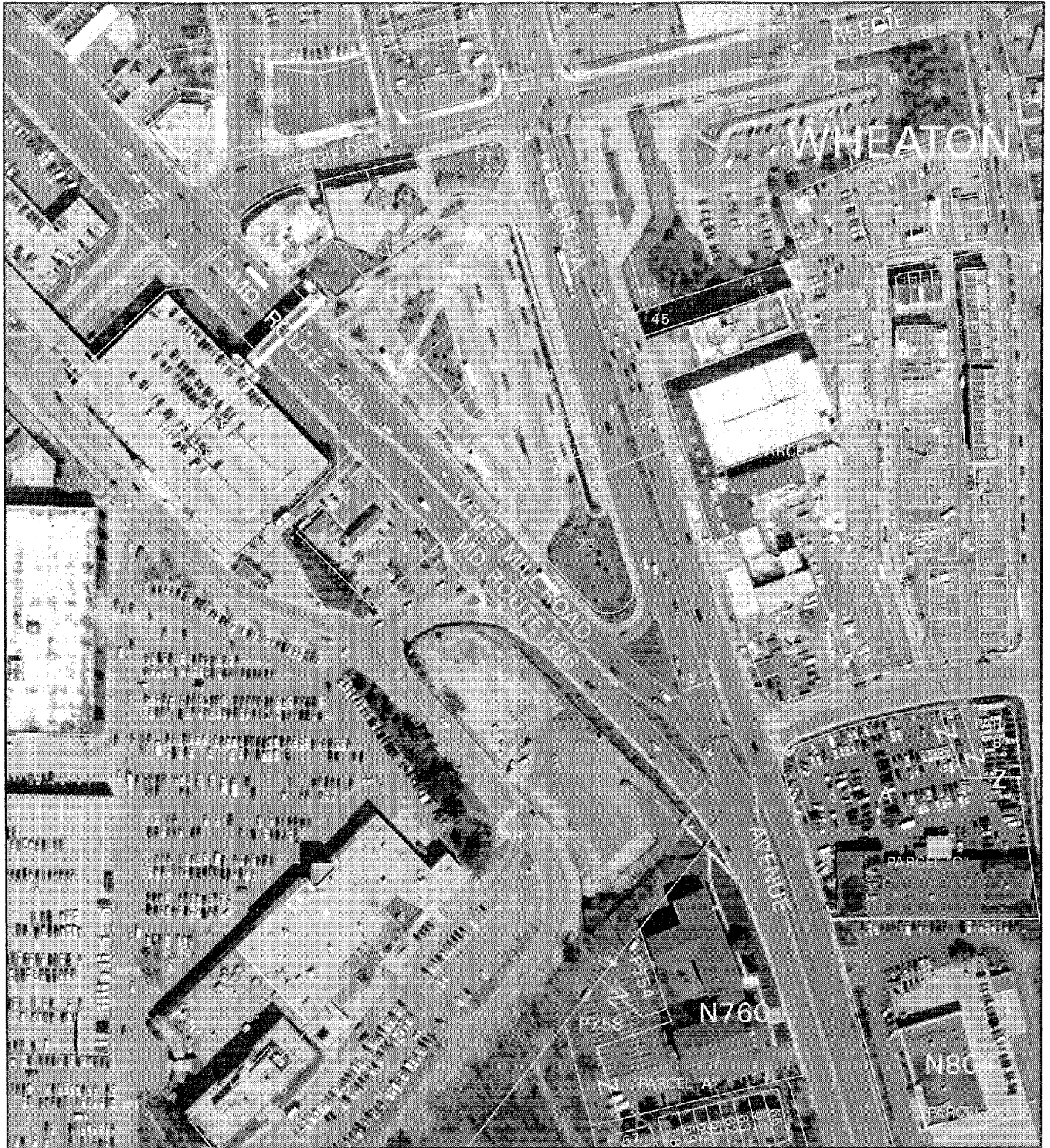
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ALTERATION	ALTERATION
CONVERSION	CONVERSION
REMOVAL	REMOVAL
DEMOLITION	DEMOLITION

REPLACEMENT	REPLACEMENT
ALTERATION	ALTERATION
CONVERSION	CONVERSION
REMOVAL	REMOVAL
DEMOLITION	DEMOLITION





(c) Copyright 2003, Pictometry International



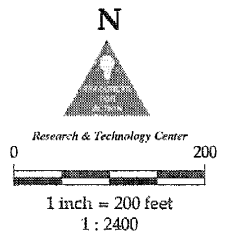
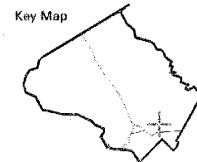
Map compiled on July 03, 2006 at 10:17 AM | Site located on base sheet no - 214NW02 | Date of Orthophotos - April 2004 | Orthophoto Images Licensed from VARGIS LLC.

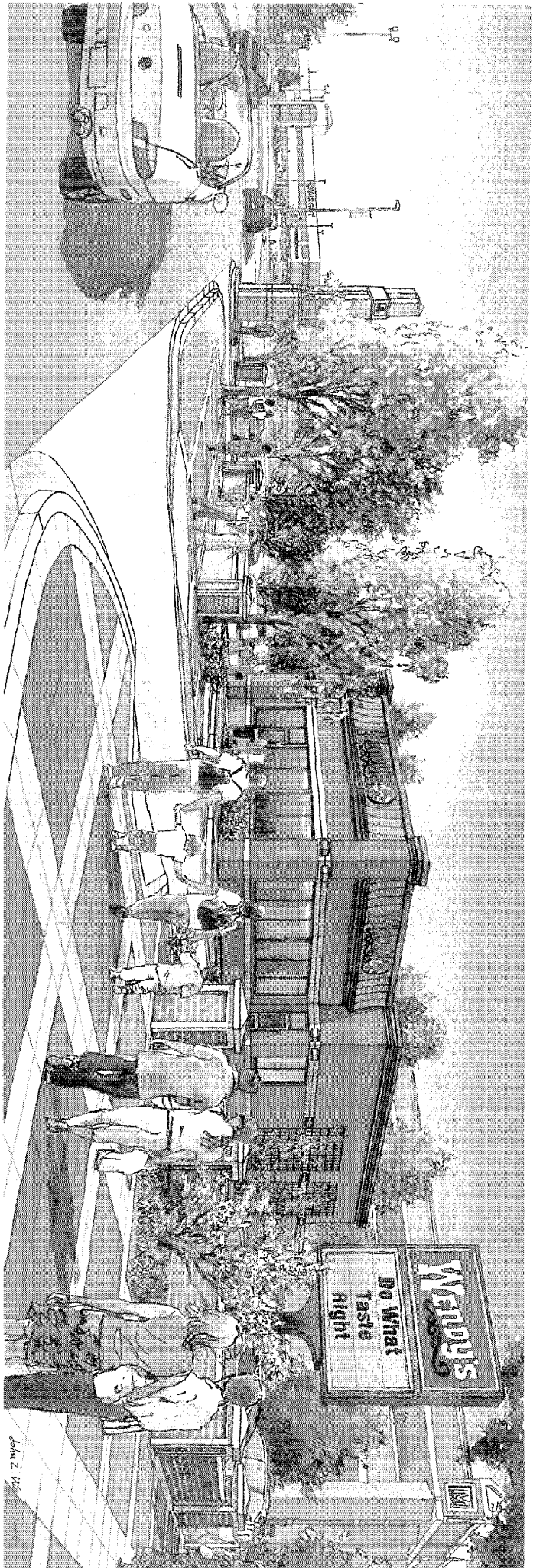
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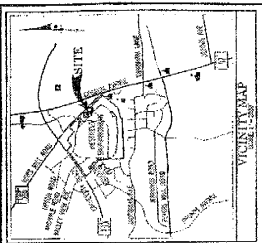
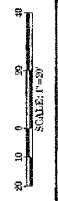
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6/5/09

SITE PLAN



LEGEND

- EXISTING TOPOGRAPHY
- EXISTING TREELINES
- EXISTING TREE
- PROPOSED ASPHALT
- PROPOSED CONCRETE CURBS AND DRIVEWAYS
- PROPOSED SPOT ELEVATION
- PROPOSED MASONRY WALL
- PROPOSED BUILDING
- PROPOSED FLOODLIGHT LIGHT
- PROPOSED VEHICULAR LIGHT
- PROPOSED VEHICULAR LOT LIGHT

GENERAL NOTES

1. All dimensions are in feet and inches. All dimensions are to the center of the line unless otherwise noted.
2. All dimensions are to the center of the line unless otherwise noted.
3. All dimensions are to the center of the line unless otherwise noted.
4. All dimensions are to the center of the line unless otherwise noted.
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14. All dimensions are to the center of the line unless otherwise noted.
15. All dimensions are to the center of the line unless otherwise noted.
16. All dimensions are to the center of the line unless otherwise noted.
17. All dimensions are to the center of the line unless otherwise noted.
18. All dimensions are to the center of the line unless otherwise noted.
19. All dimensions are to the center of the line unless otherwise noted.
20. All dimensions are to the center of the line unless otherwise noted.

TRACT AREA TABULATION

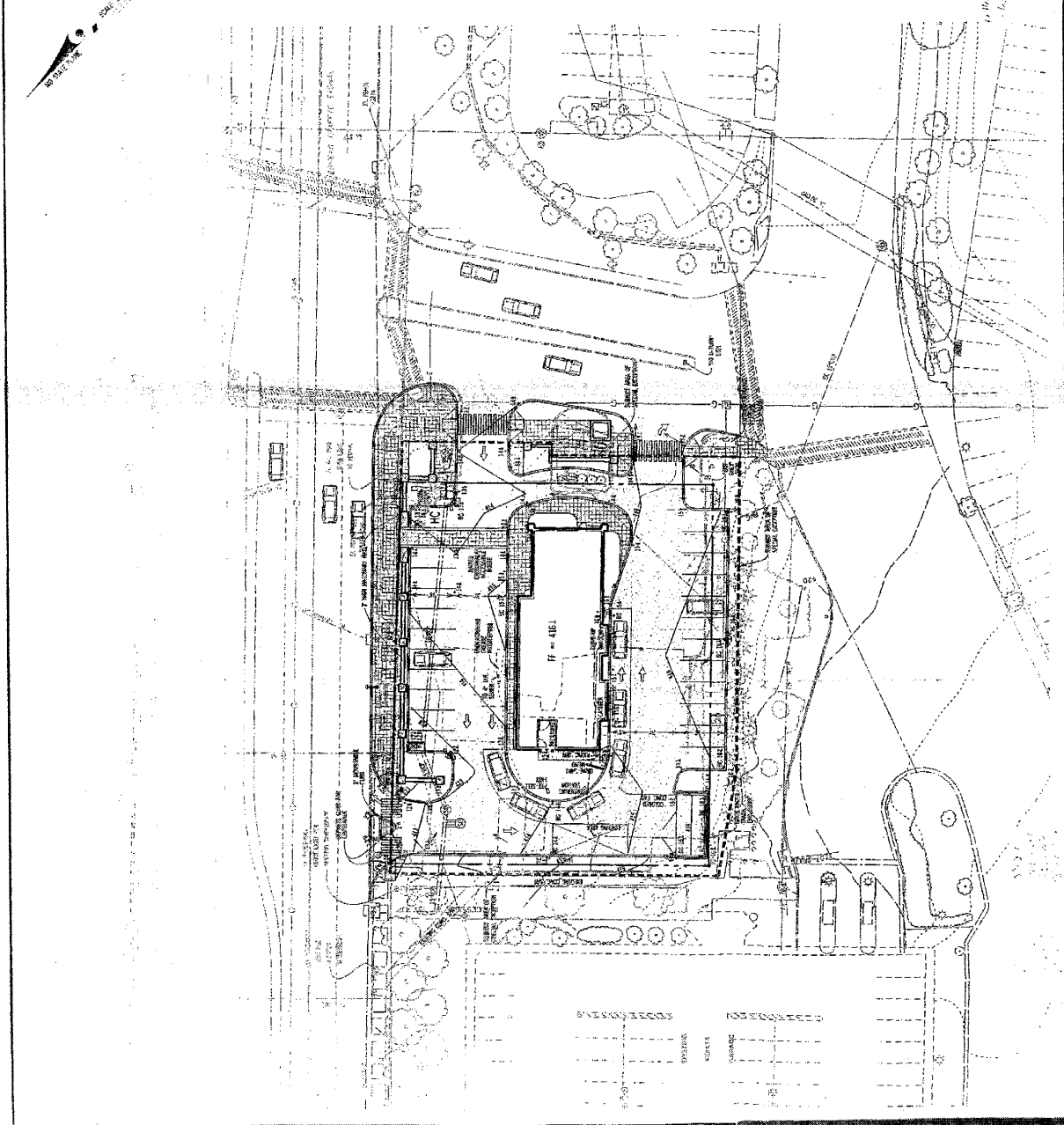
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TRACT 1	10,000	10.00
TRACT 2	20,000	20.00
TRACT 3	30,000	30.00
TRACT 4	40,000	40.00
TRACT 5	50,000	50.00
TRACT 6	60,000	60.00
TRACT 7	70,000	70.00
TRACT 8	80,000	80.00
TRACT 9	90,000	90.00
TRACT 10	100,000	100.00

DEVELOPMENT STANDARDS

1. Building height (per local ordinance).
2. Floor area (per local ordinance).
3. Lot coverage (per local ordinance).
4. Setback (per local ordinance).
5. Building setbacks (per local ordinance).
6. Building setbacks (per local ordinance).
7. Building setbacks (per local ordinance).
8. Building setbacks (per local ordinance).
9. Building setbacks (per local ordinance).
10. Building setbacks (per local ordinance).
11. Building setbacks (per local ordinance).
12. Building setbacks (per local ordinance).
13. Building setbacks (per local ordinance).
14. Building setbacks (per local ordinance).
15. Building setbacks (per local ordinance).
16. Building setbacks (per local ordinance).
17. Building setbacks (per local ordinance).
18. Building setbacks (per local ordinance).
19. Building setbacks (per local ordinance).
20. Building setbacks (per local ordinance).

PARKING TABULATION (69-E-37)

TYPE OF PARKING	NUMBER OF SPACES
Handicap	2
Motor Vehicle	100
Bicycle	10
Storage	5
Other	5
Total	122



GENERAL CIVIL ENGINEERING
 TRANSPORTATION
 ENVIRONMENTAL
 PLANNING & DESIGN

DATE: 05/15/06
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT NO.: [Number]
 SHEET NO.: 1 OF 1

OMEGA DEVELOPER,
 DINO'S RESTAURANTS INC.
 1575 WEST 9TH AVENUE
 DENVER, CO 80202

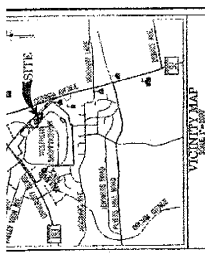
RECEIVED
 JUN 14 2006
 DENVER PLANNING DEPARTMENT

SCALE: 1" = 20'
 SHEET: 1 OF 1

WENDY'S AT WHEATON PLAZA
 1575 WEST 9TH AVENUE
 DENVER, CO 80202

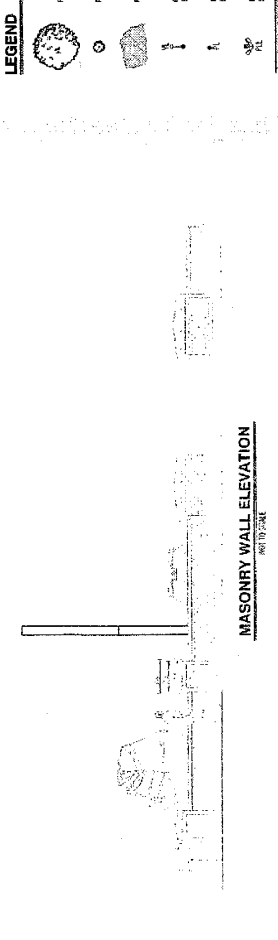
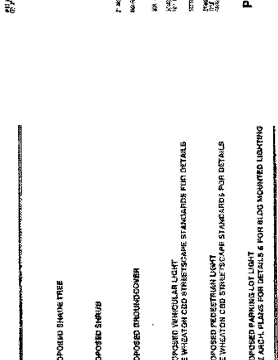
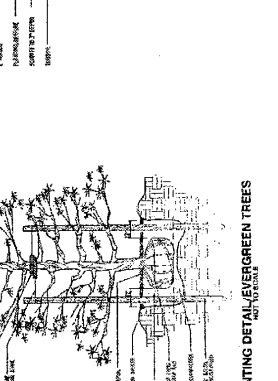
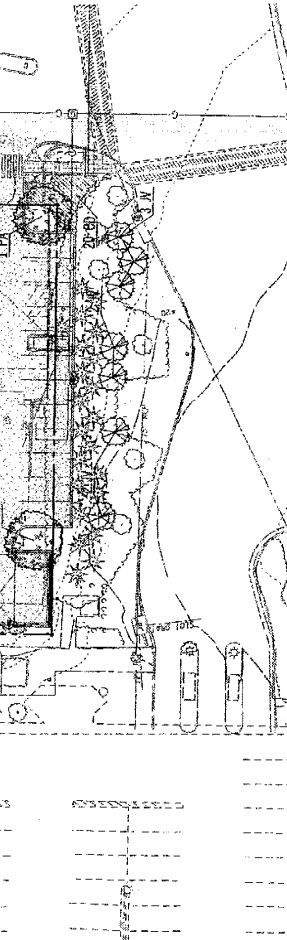
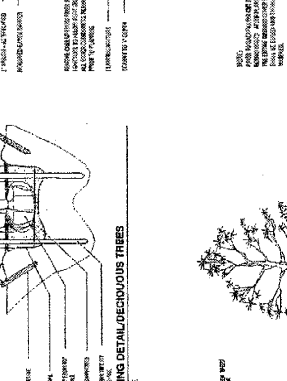
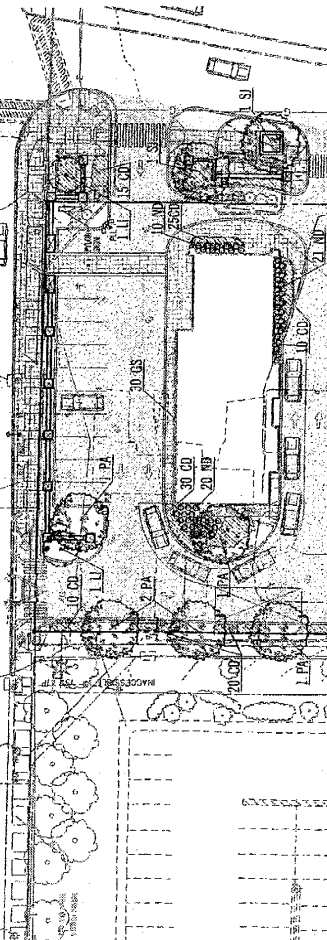
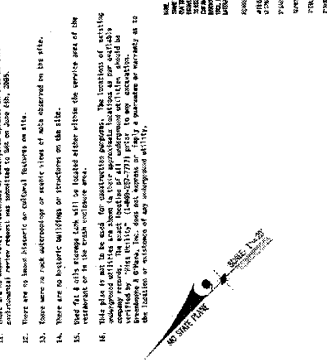
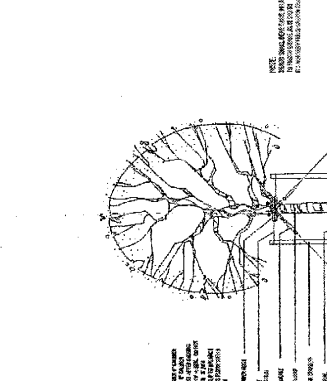
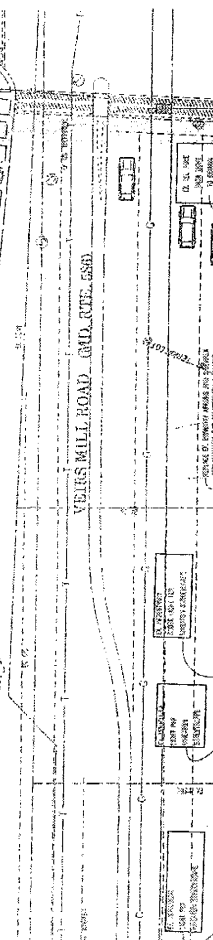
STATE OF COLORADO
 PLANNING BOARD
 1575 WEST 9TH AVENUE, SUITE 200, DENVER, COLORADO 80202

LANDSCAPE & LIGHTING PLAN



NO.	PLANTING SPECIFICATIONS	QUANTITY	REMARKS
1	Planting in existing landscape	AS SHOWN	
2	Planting in new landscape	AS SHOWN	
3	Planting in new landscape	AS SHOWN	
4	Planting in new landscape	AS SHOWN	
5	Planting in new landscape	AS SHOWN	
6	Planting in new landscape	AS SHOWN	
7	Planting in new landscape	AS SHOWN	
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13	Planting in new landscape	AS SHOWN	
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15	Planting in new landscape	AS SHOWN	
16	Planting in new landscape	AS SHOWN	
17	Planting in new landscape	AS SHOWN	
18	Planting in new landscape	AS SHOWN	
19	Planting in new landscape	AS SHOWN	
20	Planting in new landscape	AS SHOWN	

1. Existing landscape.
2. New landscape.
3. New landscape.
4. New landscape.
5. New landscape.
6. New landscape.
7. New landscape.
8. New landscape.
9. New landscape.
10. New landscape.
11. New landscape.
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16. New landscape.
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18. New landscape.
19. New landscape.
20. New landscape.



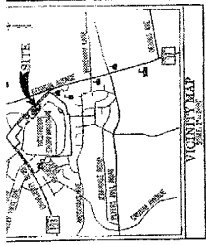
NO.	REVISIONS	DATE	BY
1	ISSUED FOR PERMIT	08/15/08	MM
2	ISSUED FOR CONSTRUCTION	09/15/08	MM
3	ISSUED FOR AS-BUILT	10/15/08	MM

LANDSCAPE AND LIGHTING PLAN FOR SPECIAL EXCEPTION
 Parcel 5 - 344 S.W. 55th St., Part No. 8877 & Part of Parcel 9 - Part No. 71051
WENDY'S AT WHEATON PLAZA
 1180 WHEATON PLAZA
 WHEATON, MD 20854

GREENHORNE & O'MARA, INC.
 ARCHITECTS
 1000 GREENHORNE DRIVE, SUITE 300, GAITHERSBURG, MARYLAND 20878
 PHONE: (301) 444-8300
 FAX: (301) 444-8301
 WWW.GREENHORNE.COM

GREENHORNE & O'MARA, INC.
 LANDSCAPE ARCHITECTS
 1000 GREENHORNE DRIVE, SUITE 300, GAITHERSBURG, MARYLAND 20878
 PHONE: (301) 444-8300
 FAX: (301) 444-8301
 WWW.GREENHORNE.COM

PHOTOMETRIC PLAN



Summary

AVERAGE	11.8
MAXIMUM	16.7
MINIMUM	6.9
AVG/MIN	1.71
MAX/MIN	2.42

* ALL FIXTURES TO BE INSTALLED YELDED AT A 25 DEGREE ANGLE, UNLESS OTHERWISE SPECIFIED.

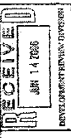
NOTE: ALL AREAS SPECIFIED ON THIS DRAWING ARE RATED FOR AN 80 WATT WED LOAD. FOR AREAS ABOVE THE WED LOAD CAPACITY, PLEASE CONSULT FACTORY FOR PROPER WED SPECIFICATION AND PANEL DESIGN.

FOR THESE CONDITIONS OF FIXTURES TO BE USED IN THIS APPLICATION, THE FOLLOWING INFORMATION IS REQUIRED TO BE PROVIDED TO THE CONTRACTOR:

1. THE PROPOSED LAYOUT AS SHOWN ON THIS DRAWING.
2. THE CHARACTERISTICS OF THE FIXTURES TO BE USED, INCLUDING BUT NOT LIMITED TO: LUMEN OUTPUT, BEMF, CRI, AND MOUNTING HANGAR TYPE.
3. THE CHARACTERISTICS OF THE FIXTURES TO BE USED, INCLUDING BUT NOT LIMITED TO: LUMEN OUTPUT, BEMF, CRI, AND MOUNTING HANGAR TYPE.

ITEM	DESCRIPTION	REMARKS
1	THE PROPOSED LAYOUT AS SHOWN ON THIS DRAWING.	SEE DRAWING EXHIBIT
2	THE CHARACTERISTICS OF THE FIXTURES TO BE USED, INCLUDING BUT NOT LIMITED TO: LUMEN OUTPUT, BEMF, CRI, AND MOUNTING HANGAR TYPE.	SEE DRAWING EXHIBIT
3	THE CHARACTERISTICS OF THE FIXTURES TO BE USED, INCLUDING BUT NOT LIMITED TO: LUMEN OUTPUT, BEMF, CRI, AND MOUNTING HANGAR TYPE.	SEE DRAWING EXHIBIT

ARROW DIRECTION IN FIXTURE INDICATES BEAM DIRECTION.



RECEIVED

JAN 14 2006

WENDY'S AT WHEATON PLAZA

1899 WHEATON PLAZA

WHEATON, MD

20854

DATE: 01/14/06

SCALE: 1" = 20'

SHEET NO. 1 OF 1

PROJECT NO. 037402

DATE: 01/14/06

SCALE: 1" = 20'

SHEET NO. 1 OF 1

PROJECT NO. 037402

DATE: 01/14/06

SCALE: 1" = 20'

SHEET NO. 1 OF 1

PROJECT NO. 037402

DATE: 01/14/06

SCALE: 1" = 20'

SHEET NO. 1 OF 1

PROJECT NO. 037402

DATE: 01/14/06

SCALE: 1" = 20'

SHEET NO. 1 OF 1

PROJECT NO. 037402

DATE: 01/14/06

SCALE: 1" = 20'

SHEET NO. 1 OF 1

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DATE: 01/14/06

SCALE: 1" = 20'

SHEET NO. 1 OF 1

PROJECT NO. 037402

DATE: 01/14/06

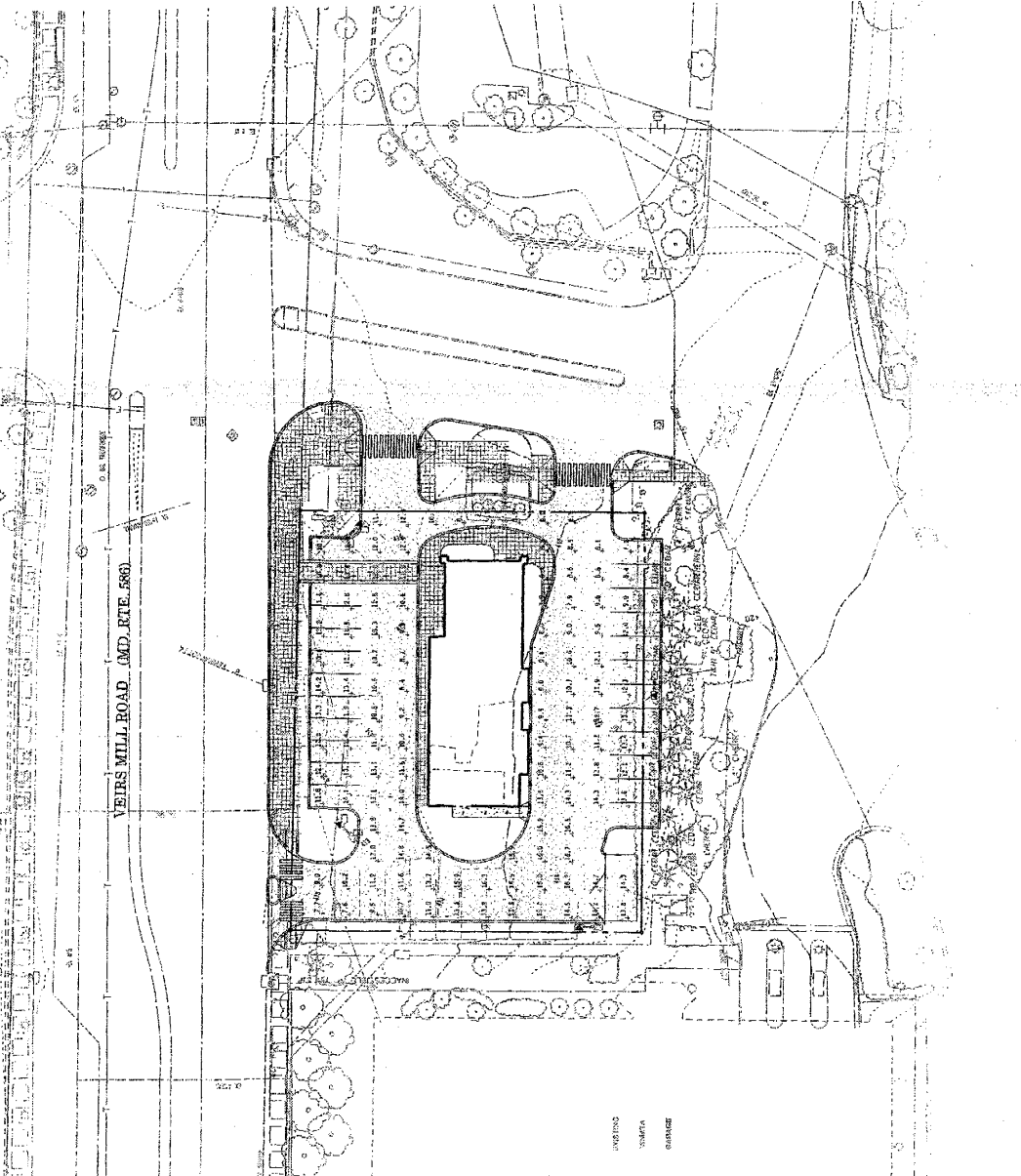
SCALE: 1" = 20'

SHEET NO. 1 OF 1

PROJECT NO. 037402

DATE: 01/14/06

SCALE: 1" = 20'



SCALE: 1" = 20'

GENERAL ONE TRANSPORTATION ENVIRONMENTAL GEOGRAPHIC SCIENCES GREENHORSE & O'MARA, INC. 300 CANTONMENT AVENUE, SUITE 300 CANTONMENT, MARYLAND 20874 PHONE: (301) 444-4330 FAX: (301) 444-8181

REDEVELOPER: DARVO RESTAURANTS, INC. 2000 WOODBURN DRIVE, SUITE 100 WOODBURN, MARYLAND 21797 PHONE: 410-741-7778 FAX: 410-741-7778

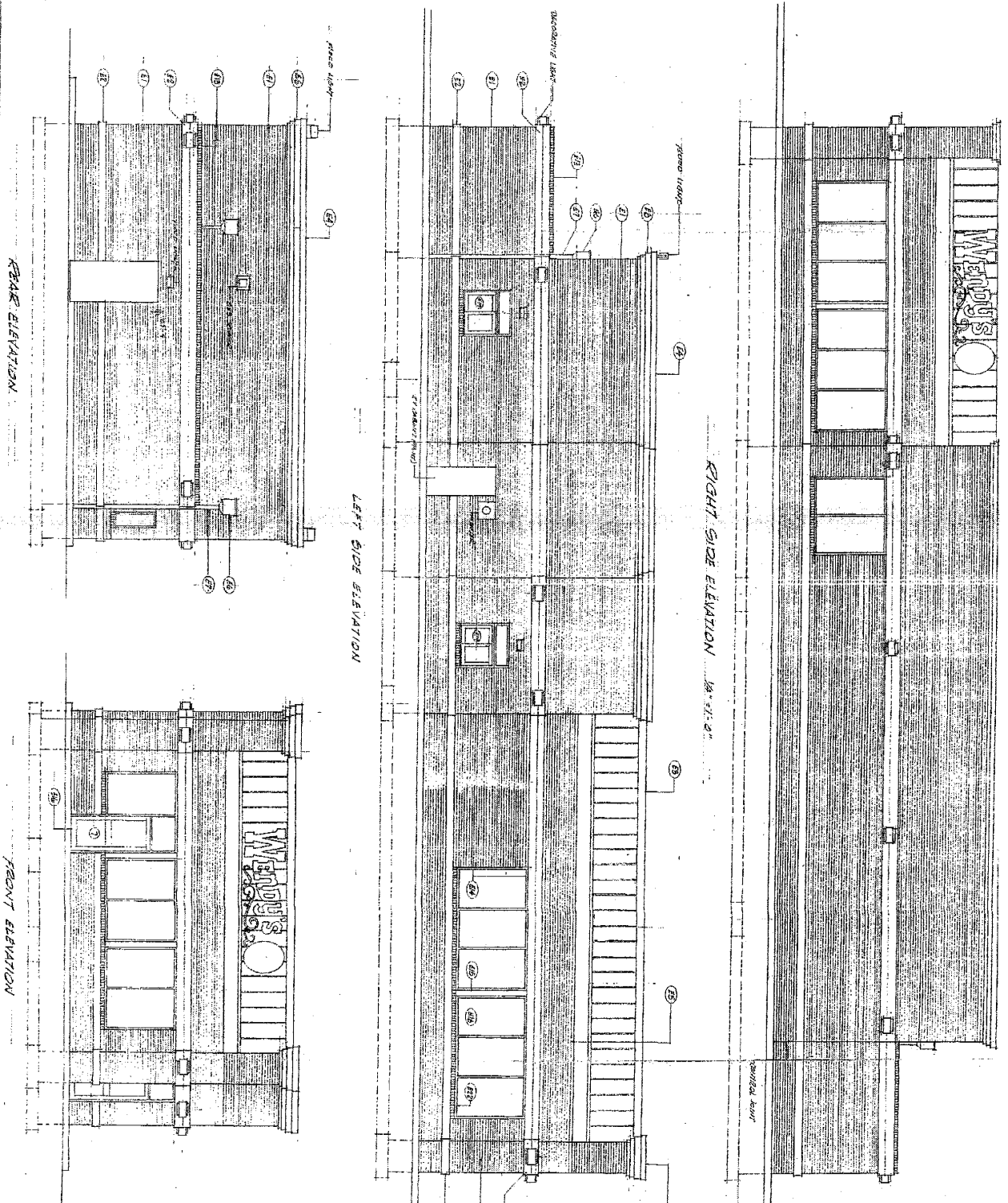
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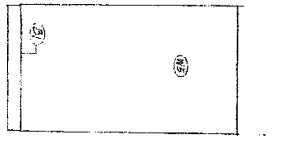
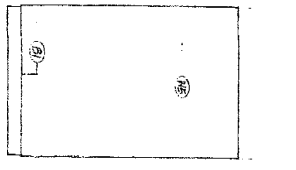
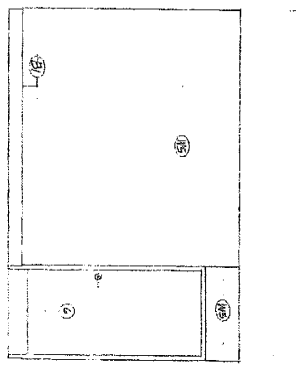
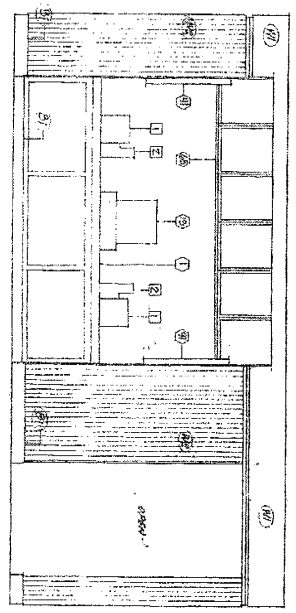
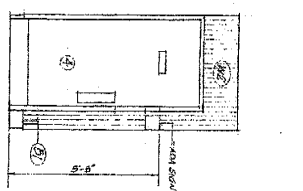
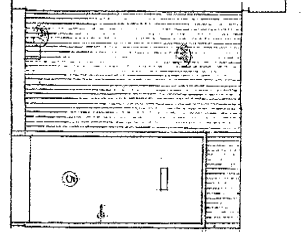
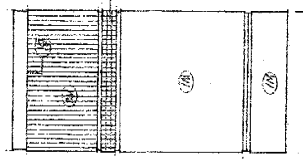
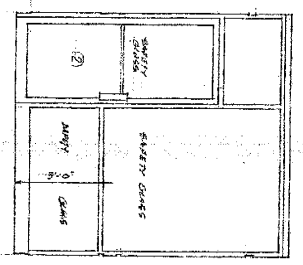
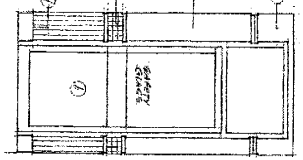
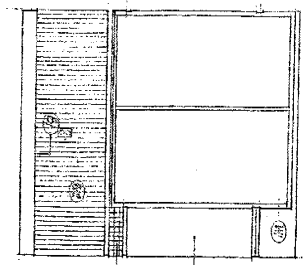
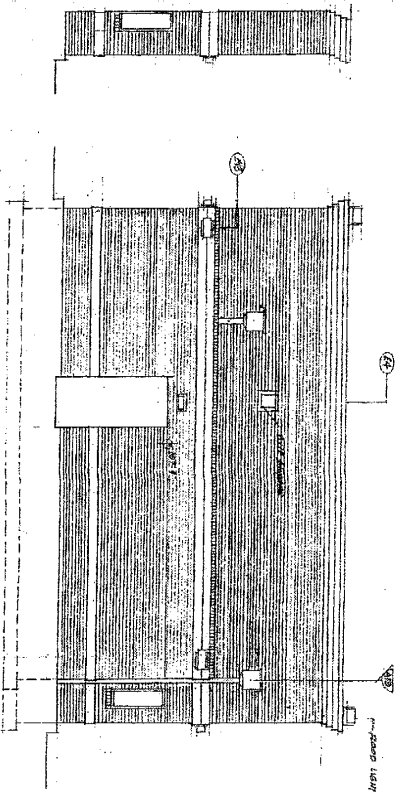
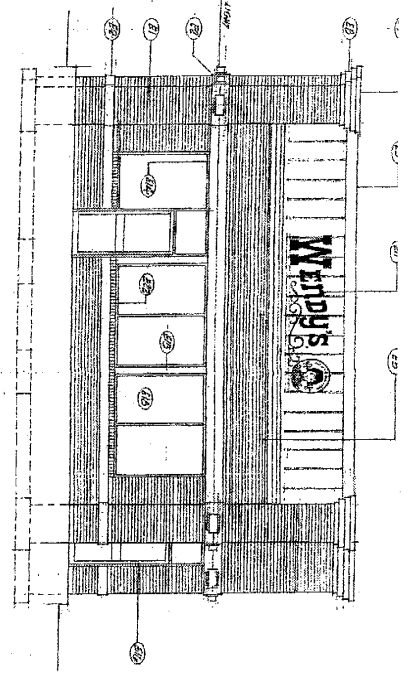
SHEET NO. 1 OF 1

ELEVATIONS (1 OF 2)



<p>RECEIVED JUN 14 2006 OPERATIONAL ENVIRONMENTAL DIVISION</p>		<p>ISSUE DATE: 7/31/05 NO DATE REVISION</p>
<p>PROJECT TITLE: WENDY'S</p>		<p>23 x 75</p>
<p>SHEET TITLE: INTERIOR ELEVATION</p>		<p>45</p>
<p>DWG. NO. RLS 04/5</p>		

ELEVATIONS (1 of 2)



RECEIVED
APR 14 2008
GENERAL CONTRACTOR REVIEW

17	GLASS BLOCK - BRICK TOP
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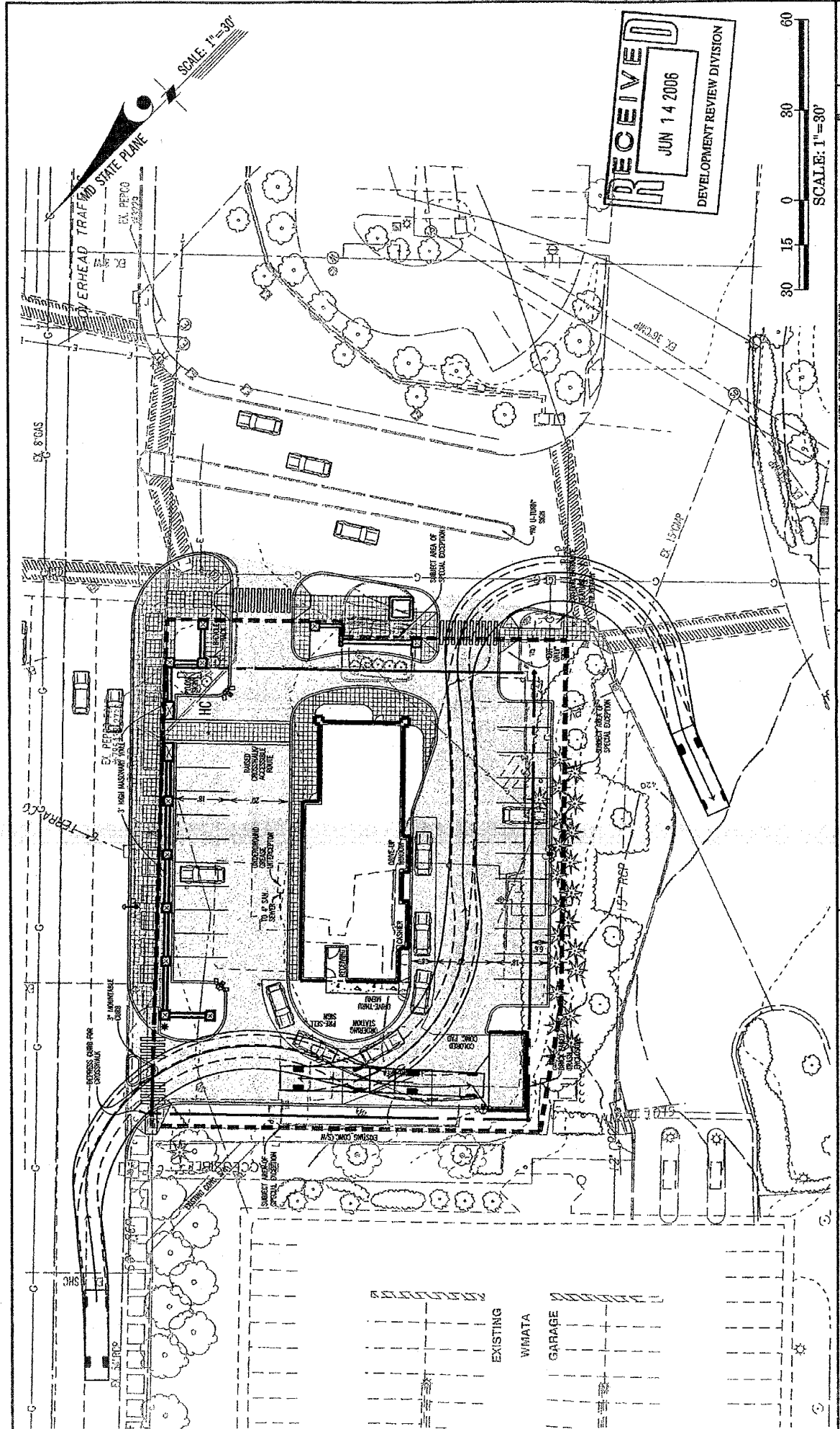
WENDY'S 25X72 - 25X75

RLS ASSOCIATES
AN ARCHITECTURAL SERVICE ORGANIZATION
1725 TUCKERMAN LANE - SUITE 100
POTOMAC, MARYLAND 20854
(301) 516-0850

ISSUE DATE: 04/05/08
NO. DATE REVISION: 04/05/08

SHEET TITLE: INTERIOR ELEVATIONS
DRAWN: A/G

ASH TO SU-30 TRUCK TURNING RADIUS



OVERSEER:
DAVID RESTORANTS INC.
102 CENTRE ROAD
P.O. BOX 1221179
CHICAGO, IL 60612

DESIGNER:
GREENHORNE & O'MARA
100 N. LAUREL
CHICAGO, IL 60611

DATE: 08/04/05

PROJECT: WENDY'S AT WHEATON PLAZA

SCALE: 1"=30'

DATE: JUN 14 2006

DEVELOPMENT REVIEW DIVISION

LAW OFFICES

MILLER, MILLER & CANBY

CHARTERED

200-B MONROE STREET
ROCKVILLE, MARYLAND 20850

(301) 762-5212
FAX (301) 762-6044

JSKLINE@MMCANBY.COM

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PATRICK C. MCKEEVER
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ELLEN S. WALKER
MAURY S. EPNER
JOSEPH P. SUNTUM
SUSAN W. CARTER
ROBERT E. GOUGH
GLENN M. ANDERSON*
DONNA E. McBRIDE
MICHAEL G. CAMPBELL
SOO LEE-CHO

**Licensed in Maryland and Florida*

June 26, 2006

RE: Special Exception No. S-2664,
DAVCO Restaurants, Inc.;
Proposed "Wendy's" Restaurant;
11030 Veirs Mill Road, Wheaton

Dear Property Owner:

We represent the Petitioner in the above-referenced special exception case proposing to construct and operate a "Wendy's restaurant at 11030 Veirs Mill Road, Wheaton.

The purpose of this letter is to provide you with notice, as required under Section 59-E-4.5 of the Montgomery County Zoning Ordinance, that in connection with this special exception petition the Petitioner is requesting a waiver of certain requirements of the Zoning Ordinance.

The Waivers that are being requested are as follows:

A. Specifically, the Zoning Ordinance requires the following:

- Section 59-E-2.71 of the Montgomery County Zoning Ordinance requires that parking facilities located adjacent to a street right-of-way shall provide a landscaping strip at least 10 feet in width.
- Section 59-E-2.72 of the Montgomery County Zoning Ordinance requires that landscaped areas shall be provided along the perimeter of a parking area, other than areas adjacent to a street right-of-way. That Code section also requires that the perimeter landscape strip shall be at least 4 feet in width.

B. We have proposed, instead, to provide the following:

- A landscape strip ranging from a minimum of 4.4 feet in width to a maximum of 6.1 feet in width, rather than 10 feet in width, adjacent to the street right-of-way will be provided. This area will contain a 3 foot high masonry wall. A waiver of 5.6 feet from the requirements of Section 59-E-2.71 of the Montgomery County Zoning Ordinance is therefore requested.

- The elimination of a landscape strip along the rear lot line. A waiver of the four foot requirement of Section 59-E-2.72 of the Montgomery County Zoning Ordinance is therefore requested.
- C. We believe that this departure from the normal parking area setbacks is appropriate for the following reasons:
1. A ten foot landscaping strip did not exist for the former use, an automobile filling station. The property is located in the Wheaton Central Business District where such landscaping strips are often relaxed to achieve better design. Enhancements to the adjacent streetscape, special sidewalk treatments and installation of an attractive three foot high masonry wall to screen the bulk of parked or circulating vehicles achieves the separation and screening intended by a landscaping strip but in a more appropriate urban form.
 2. Delivery of a four foot wide planting strip along the northern edge of the site is unnecessary because the strip would abut a green, vegetated area within the Westfields Shopping Center that varies between thirty and forty-eight feet in depth and which is already covered by mature trees. Both properties are in common ownership. The existing planting island was probably installed to screen views from the Shopping Center parking lot into the rear of the former automobile filling station on the subject property. Parking associated with the proposed restaurant will be adequately hidden from the adjacent Shopping Center by existing plantings. The four feet of space that would otherwise be devoted to a modest planting strip is better allocated to widen drive lanes and increase planting areas on site.

The public hearing in this case is currently scheduled for Friday, June 30, 2006 at 9:30 a.m. You may comment on whether the requested waiver should be granted either at the public hearing or, prior to the date of the hearing, by submitting written comments to the Office of Zoning and Administrative Hearings, 100 Maryland Avenue, Room 200, Rockville, Maryland 20850.

The complete file on this petition may be viewed in the Office of Zoning and Administrative Hearings Monday through Friday, between the hours of 8:30 a.m. and 5:00 p.m.

Thank you for your interest in this matter.

Sincerely yours,

MILLER, MILLER & CANBY

JODY KLINE

Jody S. Kline

JSK/dlt

cc: Office of Zoning and Administrative Hearings
Sandra Youla
Martin Klauber, Esquire
Harry Porter
John Sekerak
Anthony Alessi