

**Item #1:**

**Resolution Further Reducing The Arlington Letter Of Credit**

VILLAGE OF LONG GROVE  
RESOLUTION NO. 2013-R-\_\_

**A RESOLUTION AUTHORIZING THE REDUCTION (FIRST) OF  
A LETTER OF CREDIT FOR THE ARLINGTON REHABILITATION AND LIVING CENTER**  
(1666 Checker Road)

**WHEREAS**, pursuant to Ordinance No. 78-O-6, the Village of Long Grove granted final planned unit development approval for the Savanne of Long Grove Planned Unit Development ("**Original PUD**"); and

**WHEREAS**, the Original PUD approved, among other things, the development of Lot 44 of the Savanne of Long Grove Planned Unit Development with office uses ("**Property**"); and

**WHEREAS**, the Original PUD was subsequently amended by Ordinance No. 93-O-23 to permit the development of a nursing home on the Property (Ordinance No. 78-O-6 and 93-O-23 shall be collectively referred to as the "**Planned Unit Development**"); and

**WHEREAS**, the Owner filed a request to amend the Planned Unit Development to expand the Nursing Home on the Property, including the construction of two additions to the Nursing Home, the first located generally to the southwest of the existing Nursing Home building and consisting of one story of approximately 4,566 square feet in area and the second located generally to the southeast of the existing Nursing Home building and consisting of two stories of approximately 3,478 square feet in area, as well as the installation of additional parking and a new access drive to connect the existing access driveway to the west side parking area on the Property ("**Project**"); and

**WHEREAS**, on February 28, 2006 the Village Board approved Ordinance No. 2006-O-02 approving of an amendment to the Planned Unit Development to permit the construction of the Project on the Property,

**WHEREAS**, the Owner provided to the Village "Letter of Credit No. 880, Lake Forest Bank & Trust" in the amount of \$132,000.00, to secure certain public improvements required pursuant to Ordinance No. 2006-O-02, ("**Letter of Credit**"); and

**WHEREAS**, the Owner is now requesting that the Letter of Credit be reduced (first) to more accurately reflect the work that remains to be completed and performed; and

**WHEREAS**, based on the recommendation of the Village Engineer as set forth in Exhibit A attached hereto, various elements of the improvements for which the Letter of Credit was required have been satisfactorily completed and approved by the Village, thereby warranting a partial reduction in the Letter of Credit from \$132,000.00 to the principal amount of \$8,800.00;

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF LONG GROVE, LAKE COUNTY, ILLINOIS, THAT:**

**Section 1: Recitals.** The recitals set forth above are incorporated as a part of this Resolution by this reference.

**Section 2: Reduction of Letter of Credit.** The Letter of Credit in the Amount of \$132,000.00 shall be and is hereby reduced to the amount of \$8,800.00. The Village Manager and Village Treasurer are hereby authorized and directed to take such action as may be necessary consistent with this Resolution.

**Section 3: Effective Date.** This Resolution shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED this 8<sup>th</sup> day of January, 2013.

AYES: ( )

NAYS: (0) None

ABSENT: (1) Barry

APPROVED this 8<sup>th</sup> day of January, 2013.

\_\_\_\_\_  
Village President, Maria Rodriguez

ATTEST:

\_\_\_\_\_  
Village Clerk, Karen Schulteis

## EXHIBIT A

### VILLAGE ENGINEER RECOMMENDATION



December 5, 2012, 2012

Sheldon Rosenberg  
Arlington Rehab and Living Center  
910 Skokie Blvd, Suite 225  
Northbrook, IL 60062  
(847) 815-7031

**RE: Arlington Rehab and Living Center  
Proposed Stormwater Detention Plan Review  
ESI Project No.: 04-026-018-01 BG#19**

Dear Mr. Rosenberg,

ESI Consultants, Ltd. (ESI) has received the Bono Consulting, Inc. September 4, 2012 submittal package for the Arlington Rehab and Living Center in response to our December 17, 2010 Proposed Stormwater Detention Plan review letter. The Arlington Rehab and Living Center is located northwest of the intersection between Arlington Heights Road and Checker Road. Our review was based on the following submittal package and approved engineering plans:

- Response letter provided by Bono Consulting, Inc., dated November 10, 2010, which includes: Sheet C-1 titled "Proposed Stormwater Detention Plan", prepared by Bono Consulting, Inc., dated November 11, 2010;
- Response letter provided by Bono Consulting, Inc., dated November 18, 2008, which includes: Sheet C-1 titled "Proposed Detention vs. As-Built Topography", prepared by Bono Consulting, Inc., dated November 18, 2008, received by ESI December 19, 2008;
- Response letter provided by Bono Consulting, Inc., dated July 24, 2008, which includes: As-Built plans titled "As-Built Topography, prepared by Bono Consulting, Inc., dated July 16, 2008 and a CD-ROM titled "Soil Erosion Control Device Installation";
- Plan set titled "Addition to Long Grove Manor" dated September 6, 2006, prepared by Bono Consulting, Inc.
- Transmittal letter dated 8/29/12 describing the enclosed documents
- Agreement between Hope Lutheran Church and The Arlington Rehab and Living Center regarding the detention provided on Hope Church's property
- Three page plan set prepared by Bono Consulting Inc, dated 8-27-12, and received by ESI 9-5-12
- Letter from Bono Consulting inc dated November 12, 2012 requesting reduction of the LOC due to final work being complete on the project
- One page plan set entitled As-built detention basin prepared by Schroeder and Associates dated November 8, 2012

Attached to this letter are the original outstanding punch list comments with the Bono Consulting, Inc. and responses following each comment. Following the Bono Consulting, Inc. responses for each individual comment, are either ESI's acceptance or additional comments that need to be addressed. Note that any approvals are limited to Village of Long Grove Storm Water Ordinance (Ord. 2006-O-30) issues and the accuracy of the information provided. Please call (630)420-1700 if you have any questions regarding these comments.

Sincerely,  
ESI Consultants, Ltd.

Handwritten signature of Brian Witkowski in black ink.

Brian Witkowski P.E., Enforcement Officer  
Project Engineer  
Attachment

C: Dave Lothspeich, Margerita Romanello – *Village of Long Grove*  
Kevin Klein – *Bono Consulting, Inc.*  
Robert Gardiner – *Lake County Stormwater Management Commission*  
Joseph Chiczewski, PE, Brian Witkowski, PE – *ESI Consultants, Ltd.*

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General

Arlington Rehab and Living Center Punch List

**ESI Original Comment 1.** As-built topographic survey of the proposed grading areas (detention facilities, parking lot and overland flow routes) and storm sewer RIM and Invert elevations must be provided prior to the full release of the posted LOC.

BCI Response: As-Built Topographic survey is attached.

ESI Response: Not Accepted. The following items should be included on the submitted as-built topography:

- Included restrictor size, elevation and location for Detention Area #1;
- Include downstream invert elevation of the outfall pipe for Detention Area #1;
- Revise the HWL's based on our responses that follow:
- In the southeast corner of Detention Area #1, include contours between contour elevation 717 and 716. The as-built topography is misleading in this area. This is for the berm that was added.

*BCI 11/18/09 Response:*

- *A 4" restrictor must still be installed in catch basin in Detention Area #1.*
- *The downstream invert elevation of the outfall for Detention Area #1 is now shown in the catch basin to the north of the pond.*
- *The HWL for Detention #1 is now 713.50 and for Detention Area #2 is 703.00.*
- *The berm to the southwest of Detention #1 is now shown on the drawing.*

ESI Response: Please provide restrictor size and invert information for the existing restrictor for Detention Area #2. If this restrictor is greater than 4" in diameter, additional restrictor sizing calculations will be necessary. These calculations will be necessary to verify that allowable site release rates are met due to the detention facility hydraulics being altered and changed. Acceptance of this comment will be dependent upon submission and review of the as-builts.

*BCI 11/10/10 Response:*

- *A 4" restrictor has been installed in the restrictor manhole near the southwest corner of Detention Area #2, although we do not believe that it has been installed correctly. For some reason, it has been installed as a raised overflow restrictor. It needs to be lowered and installed on either the flared end section or on the outlet pipe of the restrictor manhole. It shall remain 4" in diameter.*

ESI Response: Please install the 4" restrictor per the approved plan detail (restrictor plate inside of the manhole). Please note that the restrictor needs to be installed no higher than elevation of 698.69, otherwise the detention storage volume provided will not be live storage. Acceptance of this comment will be dependent upon submission and review of the as-builts.

ESI Response: The details appear to show that this will be installed properly but the as-builts will need to be reviewed before this can be final approved.

**ESI Response: The as-builts as provided confirm that the pond does substantially comply with the approved engineering plans comment addressed**

**ESI Original Comment 2.** Topsoil must be respread, with a minimum of 4-inches in depth, over all disturbed areas, including the detention facilities.

BCI Response: The owner has reseeded the bare areas.

ESI Response: Not Accepted. Detention Area #1 and the earthen shoulder along the drive immediately north of Detention Area #1 still needs topsoil, seed and blanket, as shown on the Site Grading & Utilities plan sheet Sheet C-2 and C-6.

*BCI 11/18/09 Response: A note has been added to the drawing stating that the detention areas and earthen shoulder requires topsoil, seed and blanket.*

ESI Response: Acceptance of this comment will be based on final inspection when all improvements are complete and all disturbed areas are stabilized.

*BCI 11/10/10 Response: We agree that the earthen shoulders, berm, and the remainder of Detention Area #1 must be re-spread with 4" topsoil and "prairie planting" seed. The shoulder and slopes of the detention area up to the HWL will require erosion control blanket.*

**ESI Response: All proposed disturbed areas will require seed and erosion control blanket. Acceptance of this comment will be based on final inspection when all improvements are complete and all disturbed areas are stabilized and have the necessary 70% vegetative coverage.**

**ESI Response: This will be inspected after proposed work is completed and the Village is notified that these areas have reached 70% ground cover.**

**ESI Response: while seed and blanket are present there is little to no vegetative coverage therefore this comment is still outstanding and will need to be addressed before full release is possible.**

**ESI Original Comment 6.** Without the verification of as-built topography, it appears that the excavated spoils from Detention B have been left on-site (see attached picture). There now appears to be a large berm between Detention B and Checker Road. The excavated spoils must be removed and the existing grades must be restored.

BCI Response: The owner would like to leave this berm in place as a privacy feature.

ESI Response: Not Accepted. ESI does not object to the constructed privacy berm, however this will ultimately be the Village's decision. Additionally, it appears that the banks of Detention Area #1 and the adjacent berm were not constructed properly and do not have the minimum 4 to 1 side slopes. As a result of the Detention Area #1 not being constructed per the approved engineering plans, the hydraulics of the detention facility have changed. Since the minimum restrictor size of 4-inches was to be installed, additional hydraulic calculations will not be necessary at this time.

Based on the elevation-storage volume table for Detention Area #1, the required detention storage volume (0.494 ac-ft) has not been provided and is approximately 0.22 ac-ft short. The provided detention storage volume within Detention Area #2 exceeds the required volume by 0.02 ac-ft. Therefore, approximately 0.20 ac-ft of detention volume must still be provided. This can be done by raising the high water level (HWL) of Detention Area #1 to 713.51 (overflow point elevation) and performing additional excavation

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within Detention Area #1. Please note that the revised HWL should be changed on the as-built topography and the elevation-storage table should be revised.

Additionally, it appears that Detention Area #2 was not constructed per the approved engineering plans. Based on the as-built topography, the required detention volume is not being provided on-site entirely, but extends off-site onto the adjacent property. The proposed berm for Detention Area #2 shown on the engineering plans must be constructed along the south property boundary in order to provide the required volume on-site. Once the grading has been completed, please revise the as-built topography to show the changes, revise the HWL accordingly and provide the restrictor size and elevation.

*BCI 11/18/09 Response: The berm at the southwest corner of Detention Area #1 is to remain. Additional grading has been proposed to obtain the required detention volume.*

*Detention Area #1 now has a HWL of 713.50. Grading will be required in this pond area to provide the storage. Also, a berm will need to be graded to eliminate any slopes less than 4H:1V.*

*According to the client, they have received permission from the owner of the adjacent site to allow stormwater storage on the site as shown on the drawing. Additional grading will be required to raise the HWL from 702.91 to 703.00 and a berm will be constructed at 704.00 so that there is a 1 foot of freeboard provided for the storage area.*

ESI Response: Since the site drainage will not be affected, ESI does not object to the constructed privacy berm for Detention Area #1 and considers this a "minor change". Please note however, that the landscaping of this berm, which is included as Detention Area #1, must be seeded (prairie plantings) per the approved Landscape Plan.

ESI agrees that the total required detention storage volume has been provided within the proposed detention facilities. However, when checking the volumes provided in the tables, ESI could not duplicate the volumes provided between elevation's 711.41 and 712.00 for Detention Area #1 and between elevation's 699.50 and 700.00 and between 700.00 and 701.00 for Detention Area #2. See the table below for our computed values.

| <u>Detention Area #1</u> |       |           |              |          |
|--------------------------|-------|-----------|--------------|----------|
| Elevation                | Depth | Area      | Average Area | Volume   |
| 711.41                   |       | 3.14      |              |          |
|                          | 0.59  |           | 5,153.84     | 2,026.56 |
| 712.00                   |       | 10,304.53 |              |          |
| <u>Detention Area #2</u> |       |           |              |          |
| Elevation                | Depth | Area      | Average Area | Volume   |
| 699.00                   |       | 545.33    |              |          |
|                          | 0.50  |           | 1,861.58     | 930.79   |
| 699.50                   |       | 3,177.82  |              |          |
|                          | 0.50  |           | 4,830.91     | 2,415.46 |
| 700.00                   |       | 6,484.00  |              |          |
|                          | 1.00  |           | 9,044.48     | 9,044.48 |
| 701.00                   |       | 11,604.96 |              |          |

Please revise tables accordingly once as-builts have been prepared.

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It must be shown that Detention Area #2 is entirely located within the Stormwater Detention Easement, as illustrated in the "Recorded" Stormwater/Drainage Restrictive Covenant By Deed, dated September 9, 2006, Recording No. 6061416 (see attached). It appears that the proposed Detention Area #2 will extend beyond this Stormwater Detention Easement. Since detention storage volume will be provided outside of this easement and within the adjacent property, this document must be revised and recorded to show that the Detention Area #2 is contained within the Lot 44 Stormwater Detention Easement.

Please demonstrate that the stormwater volume being provided within the adjacent property is also contained within a Stormwater Detention Easement. Finally, please provide in writing from the adjacent property owner that he/she has agreed to allow detention storage volume (include amount of volume) from the Arlington Rahab and Living Center to be provided within his property and that he acknowledges that this area cannot be altered in any way unless previously approved by the Village and/or Lake County.

*BCI 11/10/10 Response: We apologize for the previous mistakes in our calculation spreadsheet. We had had the equation for the frustum of a cone in the previous spreadsheet, which was not correct.*

*We have taken another look and have recalculated the as-built detention volumes to ensure accuracy. The as-built facilities provide 1.163 ac-ft of storage, while the approved plans required 1.311 ac-ft. So, additional storage will be required. Please note that the volume that we are showing for the east detention pond is only including the volume that would be stored on our site, up to the overflow / HWL elevation of 702.91. We are not including any volume south of the south property line.*

*Based on our calculations, some additional grading will be required to attain the required detention volume of 1.311 ac-ft. We are proposing that Detention Area #1 be re-graded to attain this volume and have included the calculations on the lower right portion of the drawing.*

*Regarding the Stormwater Detention Easement, we have added a note to the drawing that the easement must be revised to include the area between the existing easement and the south property line.*

**ESI Response:** The proposed improvements are acceptable. However, since stormwater from Detention Area #2 will be backed-up onto the neighboring property to the south, we request that one of the following be provided:

- Option No.1: Please provide a letter from the south property owner which accepts the grading as is.
- Option No.2: If a letter cannot be obtained from the south property owner accepting the grading, then a temporary grading easement should be obtained from the south property owner and the existing off-site grades should be restored such that the Detention Area #2 HWL is contained within the proposed Stormwater Detention Easement and within the Arlington Rehad and Living Center property limits.

**The applicant must also submit a revised Plat showing the proposed revision to the Stormwater Detention Easement**

**It appears that Option 1 has been chosen and a letter has been provided signed by Charles D Johnson representing Hope Lutheran Church therefore this comment is addressed. But the revised plat showing the easement on the neighboring property will need to be recorded.**

**ESI Response: Comment addressed**

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Based on the current review, the only outstanding item is the stabilization of the detention pond. We recommend reduction of the LOC to 10% of the remaining amount to ensure the seed grows or holding a cash bond for the equivalent amount of the Landscaping item. Upon inspection finding 70% germination of the seed in any given area the full amount can be reduced. This is considered approved pending a final inspection.

End of Comments

|   |
|---|
|   |
| X |
|   |

Not Approved. Resubmittal Required

Approved with Conditions

Approved

Note that any approvals are limited to Village of Long Grove Storm Water Ordinance (Ord. 2006-O-30) issues and the accuracy of the information provided.

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