

City of Zion

Planning and Zoning Commission

Juanita Winfrey, Chairperson

Jim Bowman

Howard Burkemper

Ernest Isley

Bruce Quinn

Gerald Riley

Madeline Santana

Meeting Minutes

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

Thursday, February 4, 2016, 7:00pm

ZION CITY HALL COUNCIL CHAMBERS

I. Opening Protocol

- **Call to Order**

Chairperson Winfrey called the meeting to order at 7:00pm.

- **Attendance**

Present: Jim Bowman; Howard Burkemper; Ernest Isley; Bruce Quinn; Gerald Riley; Madeline Santana; Juanita Winfrey

Also present: Rich Ianson, Director of Building & Public Property, City of Zion, Paula Randall, Attorney, City of Zion

- **Approval of Agenda**

It was motioned by Mr. Burkemper and seconded by Mr. Quinn to approve the agenda as presented.

Vote: Jim Bowman, aye; Howard Burkemper, aye; Ernest Isley, aye; Bruce Quinn, aye; Gerald Riley, aye; Madeline Santana, aye; Juanita Winfrey, aye. Motion passes.

- **Approval of Meeting Minutes from January 7, 2016**

It was motioned by Mr. Bowman and seconded by Mr. Isley to approve the meeting minutes with the following changes:

- Page 3, 4th paragraph – Change Mr. Bowman’s vote from “nay” to “aye”
- Page 3, Section IV. New Business, 1st sentence – change “Board” to “Commission”

Vote: Jim Bowman, aye; Howard Burkemper, aye; Ernest Isley, aye; Bruce Quinn, aye; Gerald Riley, aye; Madeline Santana, aye; Juanita Winfrey, abstain. Motion passes.

At this time, Chairperson swore in all audience members who would be speaking towards any of the dockets.

II. Public Hearings/Swearing In

1. Docket 16-Z-1

Petitioner: Ahmadiyya Movement in Islam, Inc. U.S.A., an Illinois Corp
Request: Seeking a Special Use Permit for a new prayer center (mosque), learning center and gathering place for religious activities at 0 Lewis Avenue

2. Docket 16-Z-2

Petitioner: Ahmadiyya Movement in Islam, Inc. U.S.A., an Illinois Corp
Request: Seeking a Special Use Permit for a new prayer center (mosque), learning center and gathering place for religious activities at 2800 Lewis Avenue

Chairperson Winfrey stated that the petitioner to read both dockets concurrently. Attorney Randall stated that the applicant has agreed to that.

Director Ianson stated that the Ahmadiyya Movement in Islam is interested in buying the two properties for a future gathering place, mosque and learning center. He also stated that the sale of the property is contingent upon the Special Use Permit. He stated that the project is about four or five years out. Director Ianson stated that Neil Anderson is the attorney for the Ahmadiyya Muslim Community and is here to do a presentation as to what their intent is.

Neil Anderson, 1927 Main Street, Spring Grove IL thanked the Commission and staff for the opportunity to present tonight. Mr. Anderson asked for permission to submit testimony on behalf of the Petitioner Abu Bakr, who is the President of the Movement. Chairperson Winfrey gave permission.

Mr. Anderson asked Mr. Baker to state his full name, spell his last name and give his address. Mr. Bakr stated that his name is Abu Bakr, B-A-K-R and he lives at 3914 Stonebridge Drive on Greenbay. Mr. Anderson asked Mr. Bakr if he is the President of the Ahmadiyya Movement. Mr. Bakr stated yes. Mr. Anderson asked if he was the President of the petitioner here today. Mr. Bakr stated that that is correct. Mr. Anderson asked Mr. Bakr if he was asking this panel for a Special Use Permit to be allowed to construct the organization's building on the property commonly known as 2800 Lewis Avenue and also 0 Lewis Avenue. Mr. Bakr stated that that is correct. For the record, Mr. Anderson asked if he could present on behalf of both properties as was mentioned earlier.

Mr. Anderson asked Mr. Bakr if both properties combined comprise of approximately 10 acres. Mr. Bakr stated that that is correct. Mr.

Anderson asked Mr. Bakr if the properties were located between 27th Avenue and 29th Avenue and also contiguous to Lewis Avenue. Mr. Bakr stated that that is correct. Mr. Anderson asked Mr. Bakr to describe what is surrounding the property. Mr. Bakr stated that on the east side of the property is apartment buildings and a church, on the north side of the property is another church, on the west side of the property is another church and a residential area, and on the south side, a golf course. Mr. Anderson asked Mr. Bakr if the property at 2800 Lewis and 0 Lewis is currently vacant. Mr. Bakr stated absolutely. Mr. Anderson asked Mr. Bakr if he is asking for a Special Use Permit because currently in the Village of Zion per their ordinances there is no ability to put a religious institution on any property without a Special Use. Mr. Bakr stated correct.

Mr. Anderson asked Mr. Bakr where the Ahmadiyya Movement is currently located. Mr. Bakr stated that it is currently located on Gabriel Avenue and 173 in the City of Zion. Mr. Anderson asked Mr. Bakr how long have you been located in that facility. Mr. Bakr stated that they have been there for approximately 30 years. Mr. Anderson asked Mr. Bakr what the property located on Gabriel is comprised of as far as buildings and structures. Mr. Bakr stated that there is a mosque and guest house where our missionaries stay in. Mr. Anderson asked Mr. Bakr if there are a total of three buildings on the property. Mr. Bakr stated that there is also a building near the alley. Mr. Anderson asked Mr. Bakr approximately how many members do you have in your organization. Mr. Bakr stated that there are about 168 members. Mr. Anderson asked Mr. Bakr how long has the organization been that size. Mr. Bakr stated about 15 or 16 years. Mr. Anderson asked Mr. Bakr if the current facilities are of adequate size and space for your institution. Mr. Bakr stated that it was not which is what prompted them to look for a larger space.

Referencing Exhibit #1, Mr. Anderson asked Mr. Bakr if this is a picture of the current institution that exists on Gabriel Avenue. Mr. Bakr stated yes. Referencing Exhibit #3 Mr. Anderson asked Mr. Bakr if granted a Special use for a new building, is this the concept or idea that you're looking to do. Mr. Bakr stated yes. Mr. Anderson asked Mr. Bakr if it's correct that he currently does not have a formal set of plans. Mr. Bakr stated that that is correct. Mr. Anderson asked Mr. Bakr is that's because he is under contract to purchase the properties in question, which are contingent upon whether or not he can get zoning. Mr. Bakr stated that that is correct. Mr. Anderson asked Mr. Bakr if he understood that the community and village would be very interested in knowing what the final plans would like. Mr. Anderson asked would that logically make sense. Mr. Bakr stated that logically that makes sense. Mr. Anderson asked Mr. Bakr if he would be willing to make his zoning contingent upon final approval upon architectural committees and also layout and special location to that of Village and staff. Mr. Bakr stated that they intend to cooperate fully with the City of Zion.

Referencing Exhibit #4, Mr. Anderson asked Mr. Bakr if this would be the concept, in regards to a layout or plan that he would base the facility on, if granted permission. Mr. Bakr stated yes. Mr. Anderson asked Mr. Bakr if you were allowed to build this building, would it be a benefit to the community. Mr. Bakr stated that it would help them be more vibrant and provide more help for our community and our members.

Mr. Anderson asked Mr. Bakr if the site has adequate gas, water, electricity and sewer facilities access. Mr. Bakr stated that the site does have adequate access to water, electricity and sewer.

Comparing Lewis Avenue to Gabriel Avenue, Mr. Anderson asked Mr. Bakr if Lewis Avenue is heavier traveled or lighter traveled road than Gabriel Avenue. Mr. Bakr stated that Lewis is a heavier traveled road adding that Lewis Avenue is a four lane road and Gabriel Avenue is a two lane road. He also stated that as small as we are, the two lane road causes safety concerns for our children on the lot. Mr. Anderson asked Mr. Bakr if relocating to Lewis Avenue would ease traffic within the city of Zion if you were to relocate to an improved road such as Lewis. Mr. Bakr stated yes and added that it would give us three accesses to the property.

Mr. Anderson asked Mr. Bakr if you were to be granted permission to construct the building in question, you would be otherwise be complying with all building codes, ordinances both in regards to construction and also zoning. Mr. Bakr stated that that is correct. Mr. Anderson asked Mr. Bakr if he understood that based on the size of his actual building he will have to designate a certain number of parking spaces. Mr. Bakr stated yes. Mr. Anderson asked Mr. Bakr if he understood that lighting and sound would all be issues that would be addressed by the Village with regards to their ordinances and you would be willing to comply with all of their ordinances. Mr. Bakr stated absolutely. Mr. Anderson asked Mr. Bakr if he is not at this time asking for any variances to anything but strictly that of a Special Use permit to utilize the property. Mr. Bakr stated absolutely.

Referencing Exhibit #5, Mr. Anderson asked Mr. Bakr to describe what this is. Mr. Bakr stated that it was the floor plan for the building. He stated that in Islam women are separated from the men. This is what creates a problem for us in our current building. Right now, we cannot meet in the facility at the same time. Mr. Anderson asked Mr. Bakr if there is currently a gymnasium, library or cafeteria in their current facility. Mr. Bakr stated no. Mr. Anderson asked if these types of improvements would be in the new building. Mr. Bakr stated yes. Mr. Bakr added that he would like to have these improvements available for the convenience of community's use such as social events, other religious organizations and other individuals. He also added that we would like to provide a food pantry, learning center and share our place with the community at large.

Mr. Anderson asked Mr. Bakr if he has done anything like this in the past. Mr. Bakr stated yes. He added that we are quite active in the community with the Fore, Police, County and school district. He stated that we also have interfaith gatherings to talk about the things we have in common.

Mr. Anderson asked Mr. Bakr if the Ahmadiyya Movement has been involved with Meals on Wheels. Mr. Bakr stated yes. Mr. Anderson asked Mr. Bakr if the Movement has ever been involved in youth programs like basketball. Mr. Bakr stated yes. Mr. Bakr added that they do a three on three basketball tournament every year, we raise money for the Boys and Girls club and donate money to Shades, a club that exist at the high school. Mr. Anderson asked Mr. Bakr how long have you been doing the three on three tournaments. Mr. Bakr stated about 15 years. Mr. Anderson asked where are they usually performed at. Mr. Bakr said in the park. Mr. Anderson asked Mr. Bakr if he would be able to provide this type of service in the winter time by utilizing the building. Mr. Bakr stated that if we had our own building we would be able to do a lot more for the youth in the community, more than just the three on three basketball. Mr. Anderson asked Mr. Bakr if the building would be larger than a normal commercial building thought to be developed along a street like Lewis Avenue. Mr. Bakr stated no. Mr. Anderson asked Mr. Bakr if this would in any way create any light, sound, noise or odors that would be otherwise be considered detrimental, obnoxious or offensive to neighbors. Mr. Bakr stated absolutely not. Mr. Anderson asked Mr. Bakr if this would be an inexpensive endeavor if you were to do this. Mr. Bakr stated I don't think so.

Mr. Anderson asked Mr. Bakr if granted permission to construct this building, would it improve or diminish the value of the local community. Mr. Bakr stated that he believes it would raise the value. He added that his religious organization has quite a few mosques built across the United States that have brought up the value in these properties. Mr. Anderson asked Mr. Bakr if it is his intentions to maximize the absolute largest square footage to out as many buildings on this property as you can or is it your intentions to keep green space in place and to keep it natural looking and desirable. Mr. Bakr stated yes and added that we would want a space for our kids to play.

Mr. Anderson asked Mr. Bakr that, if granted permission to construct your facility, would you say that it is in compliance with or in harmony with other structures that are already built in the immediate area. Mr. Bakr stated yes.

Mr. Anderson asked Mr. Bakr to tell the board and the public what the time frame would be for this project. Mr. Bakr stated about 4 to 4 ½ years. Mr. Bakr added that he is looking for suggestions from staff and our community regarding the project.

Mr. Burkemper asked Director Ianson if these properties are currently on the tax rolls. Director Ianson stated yes. Mr. Burkemper asked Mr. Ianson if the special use is granted would the property come off of the tax rolls. Director Ianson stated yes because they are they are a not for profit. Mr. Burkemper asked at what point will the property come off. Mr. Ianson stated he thinks after construction. Mr. Burkemper asked Director Ianson if this means that we would lose ten acres of taxable land. Director Ianson stated yes.

Mr. Isley asked Mr. Bakr what plans do you have for the existing facility. Mr. Bakr stated that they are in the process of selling the home now. He added that he hopes to sell both properties.

Mr. Riley asked Mr. Bakr what are the barriers that you have encountered for providing the community activities at his current facility. Mr. Bakr stated that we were planning to bring in a younger group of kids to enhance their math skills and critical thinking. Our sanctuary is where we have everything and this is not a good thing for us. Mr. Riley asked about the mentoring program at the high school and whether it was phased out. Mr. Bakr stated that the junior high school mentoring program is phased out but the elementary school mentoring program is still active. Mr. Riley asked what was the reason for the phase out. Mr. Bakr stated that is was due to the change in administration. Mr. Riley asked Mr. Bakr if he has tried to reach out to the new administration at the junior high school. Mr. Bakr stated that they are currently working with the elementary school. Referencing Mr. Bakr's statement regarding Mr. Riley asked Mr. Bakr if there have been any community suggestions given thus far that have been implemented. Mr. Bakr stated that normally they would work with Cheri.

Mr. Bowman stated that this is a large parcel of property to not collect taxes on. He added that he appreciates all that Mr. Bakr does for the community. He stated that there are 62 places of worship for this town and the population is around 23,000 and Kenosha has 89 churches and a population of 100,000. He stated that the whole town can't survive on churches, apartments and retail business.

Mr. Bakr stated that we encourage some of our members to live in Zion. He added that his membership is made up of professional people such as doctors, lawyers, businessmen, etc. Mr. Bakr stated that with a beautiful facility like this, they may want to make their home here. Mr. Bowman stated that he believes Mr. Bakr has a great organization but he does not think this is the right place for this to happen.

Mr. Quinn stated that he feels the same way. He stated that Zion is the wonderful location for temples, churches and mosques. He stated that Lewis Avenue is a prime main drag and that it would be a shame put

another not-for-profit location right there. Mr. Quinn stated that as he is looking at the site plan, he is trying to visualize where the detention ponds, parking and entrances would be. He added that this is a recommending commission and we make our recommendations based on having a clue of the real specifics with the site. Mr. Quinn stated if only this was done on 27th Street or 29th Street, then it would be a no brainer. He also added that it would be nice to have some type of site plan. Mr. Quinn stated that he stands corrected and that he does see a site plan.

Mr. Isley asked Mr. Bakr what is the plan for transitioning should the sale of the current property take place. Mr. Bakr stated that the plan is to sell one of the houses and work our way around and have it done by the time the building is up. If the building is up at that time and we have sold the property then we will have to rent. Mr. Isley asked if this would be a problem. Mr. Bakr stated that we will have to rent somewhere in the city such as a hotel or make a deal with a church to use their facility on a Friday.

Mr. Burkemper commented that at last week's Council meeting, Mayor Hill made a comment on the upcoming budget referencing possible cuts coming in the budget. Mr. Burkemper added that this tells him that perhaps the city hasn't recovered from the crash 8 years ago. He added that he doesn't know if at this time the city can afford taking more land off of the tax rolls because Zion has the highest tax rate.

Mr. Bakr stated that he moved to Zion from Wisconsin and he pays those taxes. He stated that there are others that have moved here as well and the taxes didn't scare them. He added that people will pay if they want something. Mr. Anderson asked Mr. Bakr if he were to sell the facility he is currently in would it go back on the tax rolls. Mr. Bakr stated absolutely.

Ms. Santana asked Mr. Bakr if he has considered a different site. Mr. Bakr stated that they have been looking for about five years all over Zion. Mr. Bakr stated that they have looked at the property where Wal-Mart is currently before they purchased it as well as the property across the street but the owner wants too much. Mr. Bakr stated that this property suits us very well.

Mr. Bowman commented to Mr. Burkemper that the budget shortfall is \$1 million dollars.

Mr. Burkemper asked Mr. Bakr if they have looked in any other towns like Beach Park, Winthrop Harbor or Wadsworth. Mr. Bakr stated that we want to be in Zion. He added that we have been here for over thirty years and we will not consider another place.

Attorney Randall asked Director Ianson if the zoning classification for the property is R-2. Director Ianson responded yes.

Richard Eaton, 2727 Lowery Court, Zion stated that the only objection he would have is to the aesthetic. He added that the wooded area acts like buffer for noise from Lewis Avenue and is a home for wildlife. Mr. Eaton added that another 63rd church or mosque wouldn't faze him. He stated that while the tax base is something that he hadn't considered, there has been talk of having condominiums, strip malls, etc. He stated that he would rather have a mosque there than a strip mall. He added that the drawings are beautiful but it takes up whole the area. Mr. Eaton also asked if stop lights be required to regulate traffic, will the membership grow due to the relocation, how do the outside lighting issues affect me and do you do the call to prayer.

Mr. Bakr stated that the parking spaces will be per code. He added that we will keep as much wooded area as we can for our kids. Mr. Bakr stated that we make five prayers and some of them have been made at home. He also stated that not all 168 people will be there for prayer.

Mr. Anderson asked Mr. Bakr if he would be willing to work with the neighbors and the city in an effort to try to create as much wooded buffer between your property and the neighbor's property. Mr. Bakr stated absolutely.

Junayad Latif, 4008 Bluestem, Zion stated that he is a member of the Ahmadiyya Muslim Community. He stated that he recognizes how many religious organizations there are in Zion and added that there won't be another one but we will be giving up our property on 173 and acquiring a new property. He stated that we are trying to build a community that will attract people to the community.

Larry Collins, 2707 Lowery Court, Zion stated that he was really disturbed by what he heard by the committee members. He shared his experience of working with developers five or six years ago for the condominium project. Mr. Collins also shared his frustrations about the comments that were made related to the trees and taxes. He also pointed out the other churches that are already located on Lewis that have received Special Use permits. Mr. Collins stated that he supports the plan.

Mr. Bowman commented to Mr. Collins about a death as a result from pulling out of a parking lot from one of the churches on Lewis Avenue. Mr. Bowman also stated that he did not recall anyone asking them what are they going to do for the community.

Dea Bakr, 3914 Stonebridge Drive, Zion thanked the Commission for the opportunity to speak. Ms. Bakr commented that she is a member of the

Ahmadiyya Muslim Community and that her comments are similar to Mr. Collins. Ms. Bakr stated that we are asking to bring a positive image to the community. She stated that the Women's Worship Center is very small and this is the area where the women worship, the kids play and they have interfaith dialogue. Ms. Bakr added that the county's revenue is built primarily on commercial and residential property taxes. She added that we can help bring more people into the community to build up the residential tax base.

Mr. Burkemper asked Mr. Bakr if he were to build the mosque what does he anticipate the membership will grow to. Mr. Bakr stated that it would be a slow growth.

Wahid Khan, 3153 Falling Waters Lane, Lindenhurst IL, stated that he has been a member of the Ahmadiyya Muslim Community for 25 years. He stated that he lives all over the United States during the week but flies home to do his prayer every Friday at his mosque in Zion. Mr. Khan stated that the current property is over 60 years old. He added that the entire membership cannot fit into the current space.

Harold Welch, 3152 27th Street, Zion stated that his paperwork stated there is 5 acres. He asked if its five acres or ten. Chairperson Winfrey stated that there are two requests. Mr. Bowman stated that we combined the two applications because it's from 29th to 27th. Mr. Welch asked Mr. Bakr to explain the call to prayer a little bit more. He stated that he seen on the news where it was made over a loud speaker that was pretty loud and it was done five times a day. Mr. Bakr stated that if this were a Muslim country and majority of the members was Muslim, then the call to prayer would be done out loud over the speakers. This is not done here. Mr. Welch stated he's seen it done in Michigan on the news. Mr. Bakr stated that in Dearborn Michigan, where the majority of the neighborhood that the mosque is located in is Muslim. He added that even the schools cater to the Muslims there as well.

Alpha Bah, 2101 33rd Street, Zion stated that he has lived in Zion for ten years and he works for the public schools in Zion. He stated that he is a member of the Ahmadiyya Muslim Community and it has been an anchor for him. He stated that we would like to expand to the other place that we are looking at.

AJ Ijaz, 1080 Mt. Vernon Drive, Grayslake stated that he is a member of the Ahmadiyya Muslim Community. He stated that he is the Vice President with Allstate and travels all over the US and abroad. He stated that when travels worldwide and tells them that he is from Zion, everyone knows where that is. He stated that we do not have a proper place to worship.

Chairperson Winfrey swore in Virginia Kennedy.

Virginia Kennedy, 3178 27th Street, Zion asked if there will be a school on the property and why neither Mr. Khan nor Mr. Ijaz lives in Zion. Mr. Bakr stated that there will not be a school. Mr. Bakr also stated that everyone don't live in the community of which they go to. He added that we have members that are willing to volunteer to buy a home and pay taxes whether he lives in it or not. Mr. Bakr added that to hold us to a different standard than any other churches in the community would not be just. Mr. Ijaz stated that he would consider moving into Zion when he has a proper place to worship. Mr. Khan stated that he personally wanted to be closer to his kids who live in the Lake Bluff area.

Mr. Anderson asked the letter from Cheri L. Neal, Zion Township Supervisor be read into the record. At this time, the recording secretary read the letter.

After further discussion and reviewing the Findings of Facts, it was motioned by Mr. Burkemper and seconded by Mr. Isley to recommend approval of the application.

Vote: Jim Bowman, nay; Howard Burkemper, aye; Ernest Isley, aye; Bruce Quinn, nay; Gerald Riley, nay; Madeline Santana, aye; Juanita Winfrey, nay. Motion failed.

Mr. Collins stated to Chairman Winfrey that the audience could not hear how the vote went and asked if the vote can be read out loud. Attorney Randall stated that the recording secretary can read the vote out loud. At this time, the recording secretary read the vote out loud.

III. Public Participation

There was none.

IV. New Business

Director Ianson stated that meeting that was scheduled for tonight at 6:00pm and cancelled has been rescheduled for March 3rd at 6:00pm

V. Adjourn

Being no further business to come before the Commission, it was motioned by Mr. Riley and seconded by Mr. Burkemper to adjourn the meeting at 8:51pm. Jim Bowman, aye; Howard Burkemper, aye; Ernest Isley, aye; Bruce Quinn, aye; Gerald Riley, aye; Madeline Santana, aye; Juanita Winfrey, aye. Meeting adjourned.

Planning & Zoning Recording Secretary:

Aeneas Bronson