

AGENDA
SPECIAL MEETING OF THE PLANNING & ZONING COMMISSION OF THE
VILLAGE OF FORSYTH, ILLINOIS
5:30 P.M.
THURSDAY SEPTEMBER 24, 2026
VILLAGE HALL, 301 SOUTH ROUTE 51, FORSYTH, IL

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

PUBLIC HEARINGS

- Request by Illinois Health and Wellness LLC to amend its special use permit to allow for a drive-through facility and to allow the sale of medical cannabis products at lower tax rate at the real property commonly known as 1401 Hickory Point Drive, Forsyth, Illinois and legally described as HICKORY POINT MALL TAX PLAT LT 15-A BANK (PIN: 07-07-22-277-003). The request is made in accordance with Development Ordinance Sections 3.21 and 9.12. The property is currently zoned C1 and no request to vary the zoning has been made.

OLD BUSINESS

- Review and discussion of Forsyth Development Ordinances-This will be an ongoing discussion

ADJOURNMENT



**MINUTES OF A REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION
FOR THE VILLAGE OF FORSYTH, ILLINOIS,
HELD AT 5:30 P.M. ON THURSDAY, AUGUST 27, 2026
AT FORSYTH VILLAGE HALL**

CALL TO ORDER

Chairman Cantwell called the meeting to order at 5:30 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Upon call of the roll, the following Commissioners were physically present:

Regular Commissioners: Chairman Tom Cantwell, Vice Chair Steve Ragan, Dan Doerfler, Colleen Brinkoetter, Matt May, Cathy Mitteer, Dennis Downey

Alternate Commissioners: Larry Perkins

Absent: R.C. Campbell

Staff Present: Planning and Zoning Director Ryan Raleigh, Village Administrator Jill Applebee, Village Clerk Cheryl Marty, Village Attorney Lisa Petrilli

Attendees: Robert Johnson, Marilyn Johnson, Nathaniel Sager, Matt Foster, Barbara Kinsler, Robbie Kinsler, Karen Yepson, Matt Yepson, Jenifer Leevey, Dan Leevey, Tina Mason, Brett & Pam Logan, Brent Kershner, Susan Kershner, Evan Kershner, Katie Kershner

MOTION

Commissioner Downey made a Motion to approve the June 24, 2026 minutes as presented and Commissioner Brinkoetter seconded the Motion.

Upon a call of the roll, the vote was as follows:

Yeas: 7 – Cantwell, Brinkoetter, Ragan, May, Doerfler, Mitteer, Downey

Abstain: 1 – Perkins

Absent: 1 – Campbell

Motion declared carried.

PUBLIC COMMENT:

Several residents spoke to the Commissioners expressing their thoughts and concerns involving the recent rezoning of property owned by developer Reed Sullivan. They all expressed their thanks to the Commissioners for acknowledging their concerns, which included flood plain issues, storm management, drainage, impact on water shed, pedestrian and vehicular safety, quality of life issues, and green space among other concerns. They also requested advance notice of future fillings, hearings, meetings, or public actions related to this parcel. This request is so residents can stay fully informed and prepared to participate with Village staff. They also urged the Village staff to evaluate with careful attention to all laws and regulations and perform with transparency with the public. Matt Yepson asked and presented the Village Clerk with a copy of their aggregate comments.

PUBLIC HEARING #1

Request by Magna Trust 3070 for approval of a final plat for minor subdivision of the real property located south of Weaver Road and west of Elwood Street in Forsyth, IL and is legally described as: LOT 1 OF HICKORY POINT PLAZA AS RECORDED IN BOOK 5000 ON PAGE 270 IN THE MACON COUNTY RECORDER'S OFFICE, BEING A PART OF THE SOUTHWEST QUARTER (SW $\frac{1}{4}$) OF SECTION (14), TOWNSHIP SEVENTEEN (17) NORTH, RANGE TWO (2) EAST OF THE THIRD (3RD) PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 1 OF HICKORY POINT PLAZA ADDITION; THENCE NORTH 00 DEGREES 41 MINUTES 04 SECONDS WEST, ALONG THE EAST RIGHT-OF-WAY LINE OF COMMERCE PLACE, A DISTANCE OF 290.51 FEET; THENCE NORTHEASTERLY ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 71.43 FEET ON A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 307.48 FEET, THE CHORD OF SAID CURVE BEARS NORTH 05 DEGREES 44 MINUTES 48 SECONDS EAST, A DISTANCE OF 71.27 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF WEAVER ROAD, ALSO BEING THE NORTHWEST CORNER OF SAID LOT 1; THE FOLLOWING FOUR (4) COURSES ARE ON SAID SOUTHERLY RIGHT-OF-WAY LINE, THENCE NORTH 88 DEGREES 32 MINUTES 19 SECONDS EAST, A DISTANCE OF 90.62 FEET; THENCE SOUTHEASTERLY A DISTANCE OF 74.81 FEET ON A CURVE TO THE LEFT HAVING A RADIUS OF 530.00 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 79 DEGREES 46 MINUTES 08 SECONDS EAST, A DISTANCE OF 74.75 FEET; THENCE SOUTHEASTERLY A DISTANCE OF 145.40 FEET ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 712.36 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 85 DEGREES 39 MINUTES 19 SECONDS EAST, A DISTANCE OF 145.15 FEET; THENCE NORTH 88 DEGREES 31 MINUTES 46 SECONDS EAST, A DISTANCE OF 631.87 FEET TO A POINT ON WEST RIGHT-OF-WAY LINE OF ELWOOD STREET, ALSO BEING THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 00 DEGREES 29 MINUTES 34 SECONDS EAST ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 351.93 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THE FOLLOWING THREE (3) COURSES ARE ON THE SOUTHERLY LINE OF SAID LOT 1, THENCE SOUTH 89 DEGREES 17

MINUTES 09 SECONDS WEST, A DISTANCE OF 507.76 FEET; THENCE NORTH 00 DEGREES 14 MINUTES 36 SECONDS WEST, A DISTANCE OF 8.00 FEET; THENCE SOUTH 89 DEGREES 17 MINUTES 37 SECONDS WEST, A DISTANCE OF 439.51 FEET TO THE POINT OF BEGINNING. (07-07-14-351-013). THIS REQUEST IS MADE IN ACCORDANCE WITH DEVELOPMENT ORDINANCE SECTIONS 11.2, 11.5, AND 11.6. THE PROPERTY IS CURRENTLY ZONED C-1 AND THERE IS NO REQUEST TO CHANGE THE ZONING.

Chairman Cantwell introduced the topic and referred to Planning and Zoning Director Raleigh for further details. The owner of the single lot north of Staples requests a minor subdivision be created to divide the lot into three (3) separate lots. The proposed Hampton Inn hotel will be built on lot 2. Planning and Zoning Director Raleigh confirmed that the hotel entrance is planned to be on Weaver Road, and the roadway to the back of Staples will remain as is and will continue to be maintained. Two retention ponds will be created with a possible third pond in the future. A brief Board discussion ensued.

MOTION

Commissioner Ragan made a motion to recommend approval of the request as presented and Commissioner Downey seconded the motion.

Yeas: 7 – Brinkoetter, Cantwell, Ragan, Doerfler, May, Downey, Mitteer
Abstain: 1 – Perkins
Absent: 1 – Campbell

Motion declared Carried.

PUBLIC HEARING #2

REQUEST BY THE VILLAGE OF FORSYTH FOR TEXT AMENDMENT TO THE DEVELOPMENT CODE TO REVISE CERTAIN PORTIONS OF SECTION 3.21 RELATED TO ADULT-USE CANNABIS DISPENSING ORGANIZATIONS, AND TO MODIFY THE DEFINITIONS IN SECTION 2.2, ALL TO CONFORM WITH CHANGES TO STATE LAW FOR ADULT-USE CANNABIS DISPENSING ORGANIZATIONS

Village Attorney Petrilli explained that a new Illinois state law has been passed impacting the permission to allow drive-through window access at cannabis dispensaries. She shared details of the law and what has specifically changed. The passing of this new law means that the Village ordinance on this topic no longer complies and would need to be amended. The drive-through option is strictly for pre-order pick-up, not for new sales transactions. The dispensary is not required to open a drive-through option, but if they chose to do so they would be required to submit and meet all building ordinances as per the Village standards. A general discussion ensued by the Commissioners.

MOTION

Commissioner May made a motion to recommend approval of the text amendment of the development code to revise certain portions of Section 3.21 and 2.2 as presented and Commissioner Mitteer seconded the motion.

Yeas: 6 – Cantwell, Ragan, Doerfler, May, Downey, Mitteer
Nays: 1 – Brinkoetter
Abstain: 1 - Perkins
Absent: 1 – Campbell

Motion declared Carried.

OLD BUSINESS

- **Review and discussion of Forsyth Development Ordinances - This will be an ongoing discussion.**

No discussion was held.

NEW BUSINESS

None.

Alternate Commissioner Perkins announced that this is his last meeting as he is permanently relocating his residence to Florida. He praised the current and past staff and was grateful to be part of the Village progress during the last 20 years. He also wished the residents and the Village staff well in the future.

ADJOURNMENT

Commissioner Downey made a Motion to adjourn, Commissioner Brinkoetter seconded the Motion, and Village Clerk Marty asked for a voice vote which was then unanimously approved. The meeting was adjourned at 6:05 P.M.

By: *Cheryl Marty*
Village Clerk

SPECIAL USE APPLICATION CHECKLIST:

- Complete the entire Special Use Request Form including:
 - ☒ Owner or Applicant (Please check appropriate box. However, if you are the applicant, contact information is needed for you and the owner.)
 - ☒ Legal Description of the Property (Example: Lot 1, Subdivision, Parcel #, A part of the southwest quarter of the northwest quarter of Section 23, Township 17, North Range 2 east of the 3rd PM, and where the deed is recorded with the Macon County Recorder's Office – (217) 424-1359)
 - ☒ Existing zoning of the property (if unsure please verify with Village Hall)
 - ☒ State the existing use of the property.
 - ☒ State the proposed use of the property with the proposed special use request.
 - ☒ Provide a dimensioned site plan or plat to depict the proposed special use. The site plan or plat should include the location of any current or proposed structures on the property.
 - ☒ Answer the six questions relating to the special use request for the property that will help the Planning and Zoning Commission and Village Board make their decision on the request. For question 6, use the excerpt from the Development Ordinance for Section 9.12 F Standards.
 - ☒ Pay the required \$50 application fee; make check out to Village of Forsyth
 - ☒ Sign and date the form and return to Village Hall

Village Staff will then review the application to ensure completeness. Once the application is deemed complete, Village Staff will notify the applicant of the meeting dates for the Planning and Zoning Commission meeting/Public Hearing and the Board of Trustees meeting. Village Staff will also notify all the property owners that own property within 250 feet of your property.

* Planning and Zoning Commission meetings are held every 4th Thursday of the month and Board of Trustee meetings are held every 1st and 3rd Monday of the month. Village Staff will inform you of the date your application will go before the Commission and Board.

MEMORANDUM

To: Chairman Campbell and Planning and Zoning Commission
From: Ryan Raleigh, Director of Planning and Zoning
Date: September 16, 2026
Subject: Special Use Permit for Bud & Rita's

Background

Bud & Rita's has submitted a Special Use Permit application, along with all required supplemental information, for the operation of their business at 1401 Hickory Point Road.

Details of the Application

The Special Use Permit application includes the following amendments to their current use:

- Add sales to medical patients
- Add a drive through service pick up window to the existing drive through infrastructure
- Expand hours of operation to the maximum allowed under local ordinance.

The Development Ordinance was modified in August to mirror the new state law that allows sales to medical patients and drive through pickup windows. The Village Board of Trustees are working on an ordinance to set business hours for adult-use cannabis dispensing organizations.

Question 6:

Section 9.12 F – Standards:

- (1) The Planning and Zoning Commission shall not recommend, nor the Village Board approve a special use, unless it shall find, based upon the evidence presented to the Planning and Zoning Commission in each specific case, that the special use:
 - (a) Will be harmonious with and in accordance with the general objectives of the Comprehensive Land Use Plan and/or this Ordinance.
 - (b) Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not alter the essential character of the same area.
 - (c) Will not be hazardous or disturbing to existing or future neighborhood uses.
 - (d) Will be adequately served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
 - (e) Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the Village of Forsyth.
 - (f) Will not involve uses, activities, processes, materials, equipment, and/or conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
 - (g) Will have vehicular approaches to the property which shall be so designed as to not create an undue interference with traffic on surrounding public streets or highways.
 - (h) Will not increase the potential for flood damage to adjacent property, or require additional public expense for flood protection, rescue, or relief.
 - (i) Will not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance to the Village of Forsyth.
- (2) The special use shall, in all respects, conform to the applicable regulations of the district in which it is located, except as such regulations may be modified, in each instance, by the Village Board, pursuant to the recommendations of the Planning and Zoning Commission.

VILLAGE OF FORSYTH

301 S. Route 51
Forsyth, IL 62535

Phone: (217) 877-9445 / Fax: (217) 877-9863



SPECIAL USE APPLICATION

OWNER: ☐

APPLICANT: ☒

Name: Forsyth Retail Operations, LLC DBA Bud and Rita's - FORSYTH

Address: 1401 HICKORY POINT DR FORSYTH, IL 62535

Phone Number: (217) 759-1704

E-mail Address: compliance@NGandW.com

Property Address: 1401 HICKORY POINT DR FORSYTH, PIN #: 07-07-22-277-003

Legal Description of the Property:

The property is currently operating as a licensed adult use cannabis dispensary located in the Hickory Point Mall shopping center at an address commonly known as 1401 Hickory Point Dr., Forsyth, IL 62535

Zoning District: C-2: Commercial Service District

Existing use of the property:

The property is currently zoned for use as a state licensed adult-use cannabis dispensary.

Proposed use of the property (describe the special use):

Applicant will continue to operate under its current approved use for the premises, an adult use cannabis dispensary. Applicant proposes to amend its current use to: (1) add sales to medical patients; (2) add a drive through service pick up window to the existing drive through infrastructure; and 3) expand hours of operation to the maximum allowed under local ordinance.

*Attach a dimensioned site plan or plat to depict the proposed special use and plan for the property.

Address the following items:

1. Economic effects on adjoining properties:

The requests submitted by Applicant, if approved, will increase the commercial activity and energy at the Dispensary location as well as the adjoining and adjacent commercial properties. This increase in commercial activity will tend to stimulate the local business community which tends to lead to and increase in job creation and sales tax collected.

2. Effects of such elements as noise, glare, odor, fumes, and vibration on adjoining properties:

None.

3. General compatibility with adjacent and other properties in the district:

Applicant presently operates an adult use cannabis dispensary at the location that has a demonstrated track record of general compatibility with the business community within the district. The amendments requested herein are merely supplementary to existing approved use, and thus all operations should remain generally compatible with all other properties in the district.

4. Effects of traffic generated by the proposed use:

Applicant anticipates that the amendments requested herein will NOT have a substantial impact on traffic flow and demands. The property is already designed to accommodate significant volume and demand, and has been meeting that demand since opening. The medical patient request is NOT expected to add significant demand to a marketplace that was converted to adult use many years ago. The drive through window requested will service pre-orders only. As a result the total transaction time is expected to be 3-5 minutes per transaction, which is commensurate with (if not faster than) an in store transaction. The increase in hours of operations should tend to decrease transaction frequency.

5. Relationship to the Comprehensive Land Use Plan:

The propose amendments are consistent with the Comprehensive Land Use Plan.

6. Way the proposed special use fulfills requirements of Section 9.12 F Standards (attached document):

1. The proposed drive through window shall utilize existing drive through window infrastructure.
2. Any design modifications will be limited to those that tend to modernize and improve security components while remaining consistent with the Comprehensive Plan and architectural integrity of the surrounding business community.
3. All costs of security will continue to be covered by the Owner, and be no burden on the Village of Forsyth or City officials. The City will likely realize significant increases in tax generation as a result of the amendments requested.
4. The building use will continue to be retail in nature, which is not dissimilar from the majority of business in the Hickory Mall area.
5. Applicant currently operates pursuant to a special use permit which permits operations as a state licensed adult use cannabis dispensary in this location. The proposed amendments merely operate as supplements to the Owner's approved use for the location. The proposed amends are not detrimental to public health, safety, morals, comfort, or general welfare.
6. The premises is situated within a retail shopping center that was constructed for high volumes. Present parking is more than sufficient to onboard registered medical patients in addition to adult use customers.
7. The premises will have a 24/7 security surveillance system and security personnel on site during hours of operation.
8. Applicant shall comply with pre-existing, rigorous IDPPR cannabis regulations in addition to local ordinances.

\$50.00 Application Fee: Required at time of the application. The fee will not be refunded if the request is denied by the Village Board of Trustees.

Signature: April C. Reed Date: 8/25/2026

For office use only

Date Received: _____	PZC Meeting Date: _____
Application Fee Paid: _____	Board Meeting Date: _____
Approved (Y/N): _____	Ordinance # _____

A-0

BLDG. DEPT. APPROVAL

INTERFORM
ARCHITECTURE + DESIGN

1000 N. 10TH STREET, SUITE 100
MILWAUKEE, WI 53233

ILLINOIS HEALTH & WELLNESS
BUD & RITA'S

1000 N. 10TH STREET, SUITE 100
MILWAUKEE, WI 53233

KEYPLAN



MAIN BUILDING ENTRANCE SOUTH



DRIVE THROUGH ENTRANCE



EAST ELEVATION



EXISTING DRIVE THROUGH WINDOW



EXISTING LOADING AREA WEST

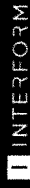


NORTHWEST CORNER

EXISTING EXTERIOR

A-1

© 2024 INTERFORM ARCHITECTURE + DESIGN



**ILLINOIS HEALTH & WELLNESS
BUD & RITA'S**

1621 HEDGECOCK POINT DRIVE
INGERSOLL, ONTARIO L9B 1A4

KEYPLAN

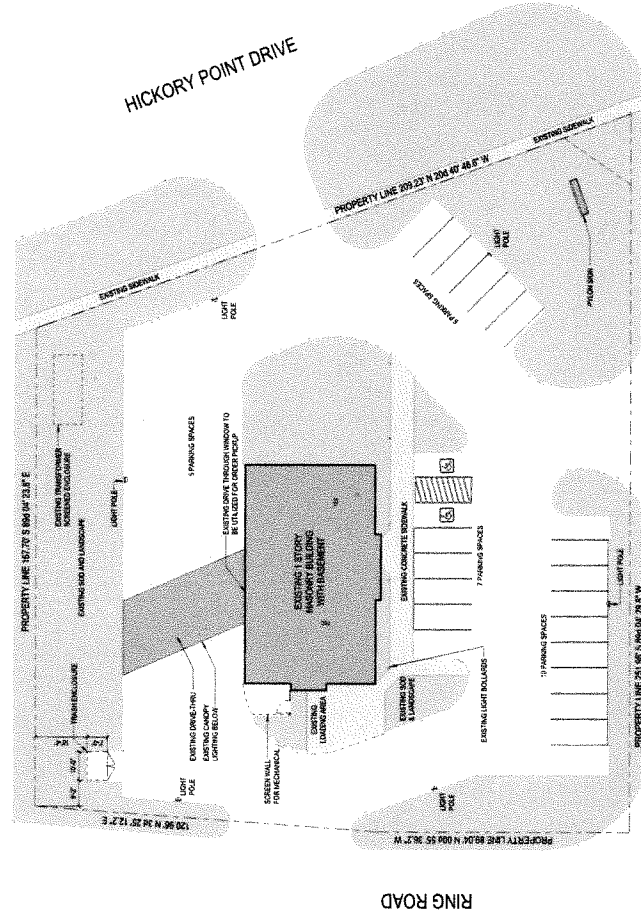
[illegible]

DATE 07/09/2018
SCALE 1" = 20'-0"
DRAWN BY
CHECKED BY
PROJECT NO. 18-0003A

SEAL

SITE PLAN

1 **SITE PLAN**
1" = 20'



SOUTH ENTRANCE EAST SIDE OF MALL

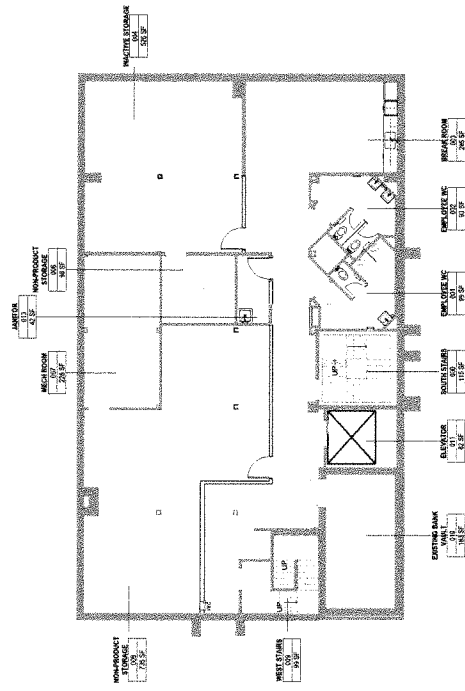
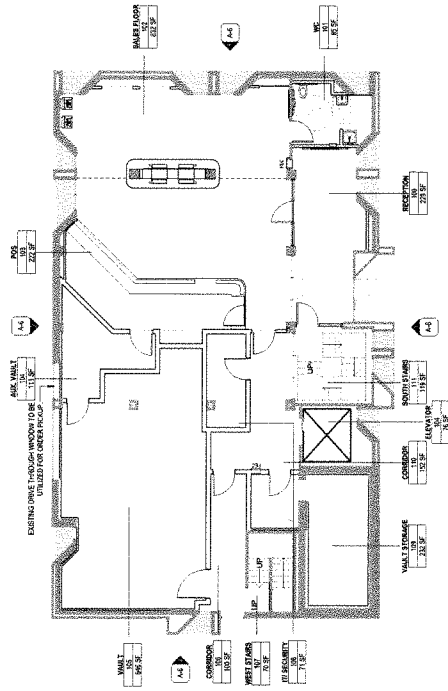
**ILLINOIS HEALTH & WELLNESS
BUD & RITA'S**

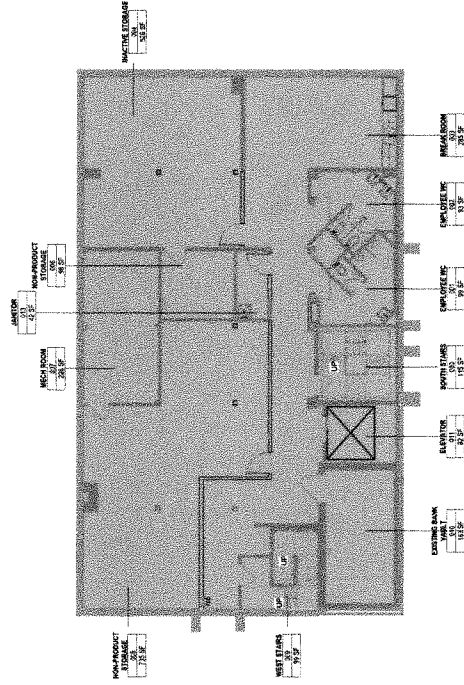
1421 HICKORY POINT DRIVE
FORSYTH, IL 61548

KEYPLAN

DATE	07/29/02	DATE	07/30/02
SCALE	1" = 1'-0"	DATE	
DRAWN	SB	DATE	
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SEAL		DATE	

PROPOSED FLOOR PLANS

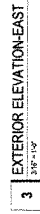




1	LOWER LEVEL ACCESS PLAN
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DATE	07/28/85
SCALE	3/4" = 1'-0"
DRAWN BY	SB
CHECKED BY	AM
PROJECT NO.	642604
SEAL	



NOTICE OF PUBLIC HEARING

The Village of Forsyth Planning and Zoning Commission will hold public hearings at 5:30 p.m., Thursday, September 24, 2026 at the Village Hall, 301 S. Route 51, Forsyth, IL. The Planning and Zoning Commission will meet to hold a public hearing and discuss the following items:

- Request by Illinois Health and Wellness LLC to amend its special use permit to allow for a drive-through facility and to allow the sale of medical cannabis products at lower tax rate at the real property commonly known as 1401 Hickory Point Drive, Forsyth, Illinois and legally described as HICKORY POINT MALL TAX PLAT LT 15-A BANK (PIN: 07-07-22-277-003). The request is made in accordance with Development Ordinance Sections 3.21 and 9.12. The property is currently zoned C1 and no request to vary the zoning has been made.

Any questions concerning this public hearing should be directed to the Village's Director of Planning and Zoning, Ryan Raleigh at 217-877-9445. All persons interested may appear and speak at the hearing.

AFFIDAVIT OF PUBLICATION

State of New Jersey, County of Camden, ss:

Anjana Bhadoriya, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Herald & Review, a newspaper printed and published in the City of Decatur, County of Macon, State of Illinois, and that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Sep. 9, 2026

NOTICE ID: v21Lcu3cd6OhpsbNdbjZ

PUBLISHER ID: COL-9001286

NOTICE NAME: Planning & Zoning Meeting 9-24-26

Publication Fee: 62.44

Under penalties as provided by Illinois law, the undersigned certifies that the statements set forth in this instrument are true and correct.

Anjana Bhadoriya

(Signed) _____

VERIFICATION

State of New Jersey
County of Camden

SHARONN E THOMAS-POPE
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires January 23, 2027

Subscribed in my presence and sworn to before me on this: 09/11/2026

Sharon E. Pope

Notary Public

Notarized remotely online using communication technology via Proof.

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9/9 COL-9001286