

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 2024-08 TO ALLOW THE DEVELOPMENT OF CONDOMINIUMS (84 TOWNHOMES) IN THE COMMERCIAL MIXED USE (CMU) ZONE FOR THE DEXTER VILLAGE PROJECT LOCATED ON DEXTER AVENUE BETWEEN SECOND STREET AND THIRD STREET (APN: 377-090-013, 377-090-037, 377-090-039, AND 377-090-040)

Whereas, James Walters, Fairbrook Communities LLC, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2024-15 for a 451-unit residential development with 137 single-family homes, 84 townhomes, and 230 apartment units including 22 affordable units on an existing vacant 23.05-acre site. The project's requests include Tentative Tract Map No. 38512 to subdivide the 23.05-acre project site into a 6.6-acre parcel for the apartments, two lots totaling 3.8-acres for condominium purposes for the townhomes, and 137 lots for the single-family homes; Conditional Use Permit No. 2024-08 to allow the development of condominiums (townhomes) in in the Commercial Mixed Use (CMU) zone; and, Residential Design Review No. 2024-07 for the proposed building designs and related improvements including new parking, walls and fencing, and landscaping. The project is located on Dexter Avenue between Second Street and Third Street (APN: 377-090-013, 377-090-037, 377-090-039, 377-090-040);

Whereas, Conditional Use Permit (CUP) No. 2024-08 proposes to allow the development of for sale condominiums (84 Townhomes) in the Commercial Mixed Use (CMU) zone;

Whereas, pursuant to CEQA Guidelines Section 15063, the City conducted an Initial Study to determine if the Project would have a significant effect on the environment. The Initial Study revealed that the Project would have potentially significant environmental impacts but those potentially significant impacts could be mitigated to less than significant levels;

Whereas, based upon the results of the Initial Study (Environmental Review No. 2023-02), and based upon the standards set forth in CEQA Guidelines Section 15070, it was determined that it was appropriate to prepare and circulate a Mitigated Negative Declaration (MND) for the project. In accordance with CEQA Guidelines Section 15073, the MND was made available for public review and comment for a minimum of 30 days beginning on November 12, 2025, and ending at 5:00 p.m. on December 12, 2025;

Whereas, on February 24, 2026, at a duly noticed Public Hearing, the City Council (Council) by resolution adopted the MND (SCH No. 2025110457) for the Project and adopted a Mitigation Monitoring and Reporting Program;

Whereas, pursuant to Section 17.415.070 (Conditional Use Permit), Section 17.410.070 (Approving Authority), and Section 17.410.030 (Multiple Applications) of the LEMC, the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to conditional use permit applications;

Whereas, on December 16, 2025, and subsequently on January 20, 2026, at duly noticed Public Hearings, the Commission has considered evidence presented by the Community Development Department and other interested parties with respect to this item, and adopted a resolution recommending that the Council Approve CUP No. 2024-08; and

Whereas, on February 24, 2026, at a duly noticed Public Hearing, the Council has considered the recommendation of the Commission as well as evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: The foregoing recitals are true and correct and are hereby incorporated into these findings by this reference.

Section 2: The Council has reviewed and analyzed the proposed Project pursuant to the California Planning and Zoning Laws (Cal. Gov. Code §§ 59000 et seq.), the Lake Elsinore General Plan (GP), and the LEMC and finds and determines that the proposed Project is consistent with the requirements of California Planning and Zoning Law and with the goals and policies of the GP and the LEMC

Section 3: That in accordance with LEMC Section 17.415.070.C. Findings, the Council makes the following findings regarding Conditional Use Permit Review No. 2024-08:

1. That the proposed use is in accord with the objectives of the General Plan and the purpose of the planning district in which the site is located.

The proposed project is exempt from the General Plan land use designation objectives as requested (Cal. Gov. Code §§ 65915 et seq.). More specifically, the project application is eligible for unlimited waivers from the development code with the provision of 5% very low-income dwelling units, or 22 on-site units. The applicant has requested waivers from the land use designation, dwelling unit density, and other use-related provisions of the General Plan. However, the proposal does support the Housing Element with the provision of additional housing units that will aid the City in achieving required Regional Housing Needs Assessment (RHNA) units, particularly protected affordable units for very low-income households. Although, the proposed project deviates from some standards and regulations in the City's General Plan and Zoning Code, it remains compliant with State and Local laws through the application of Density Bonus Law.

2. That the proposed use will not be detrimental to the general health, safety, comfort, or general welfare of persons residing or working within the neighborhood of the proposed use or the City, or injurious to property or improvements in the neighborhood or the City.

The proposed residential use will not be detrimental to the health, safety, comfort or welfare of residents or workers and no injuries will be caused to property or improvements through the permitting of the residential use on the subject property. Furthermore, a Mitigated Negative Declaration (MND) was prepared for the project, confirming that all potential impacts can be mitigated to a level of less than significant. The project must comply with all mitigation measures set forth in the MND as well as the project's conditions of approval.

3. That the site is adequate in size and shape to accommodate the use, and for all the yards, setbacks, walls or fences, landscaping, buffers and other features required by this title.

The proposed development qualifies for waivers and concessions under California

Government Code Section 65915 et seq., as implemented through Chapter 17.58 of the LEMC. These provisions allow modifications to development standards including yards, setbacks, wall heights, landscaping, and buffers when such standards would otherwise physically preclude the construction of a project at the permitted density, inclusive of the affordable housing component. Through granting of these waivers, the site is deemed adequate in size and shape to accommodate the proposed residential use and associated features.

4. That the site for the proposed use relates to streets and highways with proper design both as to width and type of pavement to carry the type and quantity of traffic generated by the subject use.

As mentioned in Finding #3 above, the proposed development qualifies for waivers and concessions under California Government Code Section 65915 et seq., as implemented through Chapter 17.58 of the LEMC. These provisions allow modifications to development standards including yards, setbacks, wall heights, landscaping, and buffers when such standards would otherwise physically preclude the construction of a project at the permitted density, inclusive of the affordable housing component. The project proposes a waiver from the minimum drive aisle width standard pursuant to Government Code Section 65915. Although, the minimum required drive aisle width has been reduced from what the standard requires, the design of the project roadways, including width and type of pavement can accommodate the type and quantity of traffic generated by the subject use. Lastly, an MND was prepared for the project inclusive of a Traffic Impact Analysis and detailed Vehicle Miles Traveled analysis which determined that the project's potential impacts on traffic would be less than significant.

5. That in approving the subject use at the specific location, there will be no adverse effect on abutting property or the permitted and normal use thereof.

The MND prepared for the project determined that all potential environmental impacts can be reduced to a level of less than significant through incorporating the required mitigation measures. The project has also been thoroughly reviewed and conditioned accordingly by all applicable City departments; thereby, eliminating the potential for any adverse effects.

6. That adequate conditions and safeguards contained in the LEMC have been incorporated into the approval of the conditional use permit to ensure that the use continues in a manner envisioned by these findings for the term of the use.

Pursuant to Section 17.415.070.B of the LEMC, the Project was considered by the Planning Commission at a duly noticed Public Hearing on December 16, 2025 and January 20, 2026, and subsequently by the City Council at a duly noticed Public Hearing held on February 24, 2026 and appropriate and applicable conditions of approval have been included to protect the public health, safety and general welfare

Section 4: Based upon the evidence presented, the above findings, and the Conditions of Approval imposed upon the Project, the Council hereby approves Conditional Use Permit No. 2024-08.

Section 5: This Resolution shall take effect immediately upon its adoption.

Section 6: The City Clerk shall certify to the adoption of this Resolution and enter it into

the book of original Resolutions.

Passed and Adopted at a regular meeting of the City Council of the City of Lake Elsinore, California on this 24th day of February 2026.

Robert E. Magee,
Mayor

Attest:

Candice Alvarez, MMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, California, hereby certify that Resolution No. 2026-__ was adopted by the City Council of the City of Lake Elsinore, California, at a regular meeting held on February 24, 2026, and that the same was adopted by the following vote:

AYES
NOES:
ABSTAIN:
ABSENT:

Candice Alvarez, MMC
City Clerk