



## *memorandum*

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January 10, 2023

To: Mayor and City Council

From: Dan Schoenholz, Community Development Director  
Wayland Li, Principal Planner

Subject: Council Agenda, 1/10/23, Item 5.A – 2023-2031 Housing Element Update

City staff has received the following public communications regarding the draft 2023-2031 Housing Element:

- A letter (Attachment 1) from Steve Reilly, representing 330 Land Company LLC, offering the inclusion of two proposed development sites located in the Warm Springs Innovation District in the Housing Element sites inventory.
- An email (Attachment 2) from Harvey McKeon, representing the Nor Cal Carpenters Union, requesting inclusion of language in the document acknowledging that an adequate construction workforce is necessary to meet housing needs during the upcoming planning period.

Regarding Attachment 1, additional inventory sites are not needed in the Housing Element at this time. However, under Program 90 of the Housing Element, the City will consider additions to the Housing Element sites inventory during the planning period, as needed, to maintain compliance with the State's No Net Loss Law. If formal development applications for residential development of these sites are submitted and building permits are issued, the City will count those sites as progress towards meeting its Regional Housing Needs Allocation (RHNA) targets for the upcoming planning period.

Regarding Attachment 2, staff recommends acknowledging the need for an adequate construction workforce through the inclusion of the following language in Chapter 5 of the Housing Element, page 5-6:

### **Availability of an Adequate Construction Workforce**

The availability of an adequate construction workforce is necessary to build the numerous residential developments needed to meet the region's housing goals. Program 42 of the Housing Element commits the City to consulting with stakeholders, including representatives from the residential construction industry, on housing policy changes. This provides an opportunity for discussion and consideration of potential impacts to the supply of construction labor when adopting housing policy changes.

Attachment 1



330 Land Company LLC  
16381 Scientific Way  
Irvine, California 92618

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December 22, 2022

**VIA ELECTRONIC MAIL**

Wayland Li  
Principal Planner  
City of Fremont  
3300 Capitol Ave  
Fremont, CA 94544

**RE: Preliminary Applications for 489 units at the Warm Springs BART Station**

Dear Mr. Li,

330 Land Company, LLC has filed two (2) preliminary applications for a total of 489 units of housing at two sites adjacent to the Warm Springs Bart Station within the Innovation Center. The Innovation Center designation corresponds with the ±879 acre Warm Springs/South Fremont Community Plan, adopted by the City Council on July 22, 2014. The Innovation Center is a hybrid mixed-use designation that allows a range of uses, which include industrial, research and development, office and convention, hotels, retail and entertainment, residential, an elementary school and public open space.

Given the housing crisis the region faces we would encourage the City of Fremont to include the sites we have filed preliminary applications as Housing Opportunity Sites in their Housing Element Update the City is current undertaking.

We look forward to working with the city to bring much needed housing to the community.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Reilly".

Steve Reilly  
330 Land Company, LLC

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16381 Scientific Way Irvine, California 92618

## Attachment 2

### Wayland Li

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**From:** Harvey McKeon <hmckeon@nccrc.org>  
**Sent:** Thursday, January 5, 2023 9:43 AM  
**To:** Wayland Li  
**Subject:** Housing element labor language approval

**Importance:** High

**Follow Up Flag:** Follow up

**Flag Status:** Flagged

Happy new year Wayland,

Following up on our discussion regarding the potential inclusion of some labor language in the Fremont housing element.

To recap, we foresaw language that addressed the labor shortage issue in residential construction, and which makes no qualitative judgement on labor standards, but simply acknowledges policymaking will be needed in this area in the future in order to ensure the labor supply necessary to meet RHNA goals. That language would look something like the below:

The issue of availability of an adequate construction workforce has been found in a ABAG survey of member jurisdictions to be a top-tier constraint for building additional housing. As such, the City supports labor standards conducive to ensuring the reliable supply of quality construction labor necessary to complete the growing number of residential projects foreseen by this Cycle's RHNA in a timely manner, without labor disputes or costly delays, thereby supporting the City's housing goals and objectives.

We have spoken to HCD staff, including reviewers for individual cities, and they have no legal issue with this language. In fact, to the contrary, this language actually seeks to meaningfully engage with a key impediment to housing production (labor shortages). HCD staff can reaffirm this to you directly.

Please let me know if Fremont can still include this language in their housing element constraints analysis. Please of course reach out if you would like to discuss this further over the phone.

In solidarity,  
Harvey

Harvey McKeon  
Field Representative  
Research  
Nor Cal Carpenters Union  
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Oakland, CA 94621  
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