



## HISTORICAL COMMISSION AGENDA REPORT

**Meeting Date:** October 28, 2024

**Subject:** H24-0005- 1485 Fremont Ave: Historical Advisory Review to Relocate a Historic Structure

**Prepared by:** Brittany Whitehill, Senior Planner

**Initiated by:** Jackie Terrell and Twinkal Parmar, Applicants

### **Attachments:**

- A. Historic Evaluation and Secretary of the Interior Standards for the Treatment of Historic Properties Review, prepared by Stephanie Hodal and Stacy Kozakavich
- B. Department Parks and Recreation Record Form 523
- C. Project Plans

### **Recommendation**

That the Historical Commission recommend the Development Services Director approve the Historical Advisory Review to relocate an existing historic structure, and find the project is categorically exempt from environmental review pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation) of the California Environmental Quality Act (CEQA).

### **Summary**

The applicant seeks Historical Advisory Review for the proposed relocation of an existing accessory structure containing a first-story garage and workshop and a second-story accessory dwelling unit (ADU) to another location on a 64,380-square foot lot to allow for the lot to be subdivided into two lots. The detached garage/ADU structure is currently located toward the northern side (rear) of the property, behind the single-family home. The project would relocate the garage to the east of the home and construct an extension of the driveway between the existing circular driveway and relocated garage.

The property is a historic resource listed on the City of Los Altos local register, and relocation of the accessory structure would constitute an alteration to the historic site and therefore requires review and recommendation from the Historical Commission. Following a recommendation from the Historical Commission, the Development Services Director will make a decision on the requested Historical Advisory Review and Design Review to relocate the historic structure. The project also involves a proposed two-lot subdivision which will be reviewed separately by the Planning Commission and City Council and is not part of the Historic Advisory Review application. **Background**

The project site contains a single-family home and detached garage with a second-story ADU on a 64,380-square foot lot in the R1-10 zoning district. The lot was originally created in 1925 from the subdivision of a large agricultural site. The existing single-family home and detached garage with second-story ADU were constructed in 1927. The site has historically been used for agricultural and residential purposes. The Fucilla family has owned the subject property since 1962 and continues to live there in 2024.



**Figure 1: Main House**



**Figure 2: Detached Garage/ADU**

The 1927 single-family home and detached accessory structure are associated with the Italian Renaissance Revival architecture style, which was popular throughout California in the 1920s-1940s. The property retains many character defining features of the Italian Renaissance Revival style. The house is situated in the center of the site with deep setbacks on all sides. The site features an expansive front lawn with a circular front drive and a landscape buffer around front half of main residence with mature trees on west side of parcel and front lawn

Character-defining features of the house include its two-story form, stucco cladding, Spanish clay tile hipped roof, recessed front entry porch and large, full-height arched windows and French doors with ornamental detailing across front façade, raised ornamentation at the cornice lines and an elaborate balustrade at second-story balcony.

The garage/ADU structure is sited subordinate to (behind) the main house, and features a characteristic flat-roofed, two-story form with Spanish roof tiles, stucco cladding, decorative turrets at southeast and southwest second-floor corners, wood-frame divided-light casement windows front (south) and side (east) façades, and wood-frame double-hung windows side (west) and second-story rear (north) façade, and double-hung garage doors.

### **Secretary of the Interior’s Standards for the Treatment of Historic Structures Evaluation**

Architectural Historian Stephanie Hodal and Cultural Resources Planner/Archaeologist Stacy Kozakavich, both with Page & Turnbull, reviewed the project to ensure consistency with The Secretary of the Interior’s Standards for Rehabilitation & Guidelines for Rehabilitating Historic Buildings. The historical professionals’ evaluation found that the proposed relocation of the existing garage/ADU structure will not diminish the historic significance of the property. Their evaluation made the

following findings with regard to the rehabilitation standards, which are summarized below and described in detail in Attachment A:

**Standard 1.** *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.*

The project will result in the relocation of the accessory structure to the east side of the main house to accommodate for subdivision of the lot. While these changes will change spatial relationships on the property, the property will continue to serve as a residential use, in compliance with Rehabilitation Standard 1.

**Standard 2.** *The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*

The structure relocation would preserve the hierarchy of buildings on the site with the main residence at the center of the parcel, where it would remain the focal point of the site and its most prominent feature. The accessory structure in a subordinate position, set back behind the front façade of the main house. As proposed, the project reinforces the subordinate relationship of the garage to the main residence, retains the primary circulation patterns on the site, and conserves the overall sense of spaciousness as viewed from the public right of way. Therefore, the project complies with Rehabilitation Standard 2.

**Standard 3.** *Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.*

Relocating the historic garage does not introduce any conjectural features or elements from other historic properties, as the garage is an existing contributing feature of the historic property. Moving it to a different location on the property does not change the understanding of the two buildings' period of significance or uses. Therefore, the project complies with Rehabilitation Standard 3.

**Standard 4.** *Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.*

The period of significance for 1485 Fremont Avenue is 1927, the year construction was completed. No alterations dating outside the period of significance have acquired historic significance. Therefore, the proposed project complies with Rehabilitation Standard 4.

**Standard 5.** *Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.*

As proposed, the project would preserve the distinctive features, finishes, construction techniques, and examples of craftsmanship that characterize 1485 Fremont Avenue as a historic property, therefore, the project complies with Rehabilitation Standard 5.

**Standard 6.** *Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.*

The project does not propose to repair or replace deteriorating features. Therefore, the project complies with Rehabilitation Standard 6.

**Standard 7.** *Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.*

Chemical or physical treatments are not proposed as part of the project. If such treatment is determined to be necessary as part of the proposed project, it would be undertaken using the gentlest means possible. Therefore, the project complies with Rehabilitation Standard 7.

**Standard 8.** *Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.*

The project would require ground disturbance to prepare the site for relocation of the garage and construction of an extension of the driveway. If any buried archaeological materials or deposits are encountered during ground-disturbing activity, work would be halted immediately at the location of the discovery. In compliance with the recommended project Conditions of Approval, the City of Los Altos would be informed, and a qualified archaeologist would be retained to identify and evaluate the archaeological materials and recommend appropriate measures for protection and/or treatment of the resource. Therefore, the project complies with Rehabilitation Standard 8.

**Standard 9.** *New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*

The proposed project would not introduce new construction, exterior alterations, or additions to the historic buildings at 1485 Fremont Avenue. Relocating the garage to a position adjacent to but separate and set back from the primary façade of the residence allows the main building to retain its prominence as the focal point of the spacious site. Therefore, the project complies with Rehabilitation Standard 9.

**Standard 10.** *New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

If the relocated garage were, in the future, returned to its original site and the proposed driveway spur between the circular drive and garage removed, the property at 1485

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Fremont Avenue would retain its essential form and integrity. Therefore, the project complies with Rehabilitation Standard 10.

The project, as designed, complies with the Secretary of the Interior’s Standards for Rehabilitation, and will not diminish the historic significance of the property at 1485 Fremont Avenue. Despite the proposed relocation of the detached garage/ADU structure, the main house will retain its predominate siting on the lot, and both buildings will retain their Italian Renaissance Revival character-defining features.

### **Environmental Review**

The project is categorically exempt from CEQA under Section 15331 (Historical Resource Restoration/Rehabilitation) because the project consists of the relocation and rehabilitation of an existing historic structure in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties for Rehabilitation. The proposed alterations would not impact the integrity of the site, which would retain its eligibility for listing on the Los Altos Historical Resource Inventory. The proposed project would therefore not be anticipated to cause a substantial adverse change to a historical resource for the purposes of review under the California Environmental Quality Act.

### **Public Notification and Community Outreach**

A public meeting notice was posted on the property, mailed to property owners within a 300’ radius, and published in the newspaper. The applicant also posted the public notice signs at the site in compliance with the Planning Division posting requirements.

At the time of preparation of the agenda report for the project, no public comment or testimony related to the project has been received by the Planning Division.

**FINDINGS**

With regard to the historic advisory review to allow for modifications to an existing historic resource consisting of relocation of an existing structure to another location within the site, the Commission finds in accordance with Section 12.44.130 of the Los Altos Municipal Code that:

1. The project complies with all provisions of the Historic Preservation Ordinance (Chapter 12.44) because the project will not affect the physical integrity or the historic significance of the subject property and the project complies with the Secretary of the Interior's Standards for the Treatment of Historic Properties, and the project has been processed in accordance with the procedural requirements of Chapter 12.44 of the Los Altos Municipal Code; and
2. The project does not adversely affect the physical integrity or the historic significance of the subject property because the site will retain its character defining features including deep setbacks, an expansive front lawn, circular driveway, and mature trees; garage/ADU structure to be relocated would retain its defining features characteristic of its Italian Renaissance style, including its siting behind and subordinate to the main house, two-story form, flat roof, Spanish roof tiles, stucco cladding, decorative turrets at building corners, wood-frame divided light and double-hung windows, and double garage doors; and prior to relocation of the structure, the applicant will be required to provide a detailed structure relocation plan prepared by a licensed contractor and reviewed by the project historians to ensure any potential damage to the structure that could result from the relocation will be avoided.

## **CONDITIONS OF APPROVAL**

### **Planning Division**

1. **Approved Plans:** The project shall be developed in substantial compliance with the design plans and support materials and technical reports approved as part of Los Altos planning application DR24-0081, CUP24-0004, H24-0005, and TM24-0004, submitted on September 12, 2024, except as modified by these conditions as specified below.
2. **Expiration:** This Permit is valid for a period of twenty-four months and will expire on October 29, 2026, unless prior to the date of expiration, a building permit is issued, or an extension is granted pursuant to the procedures and timeline for extensions in the Zoning Code.
3. **Revisions to the Approved Project:** Minor revisions to the approved plans which are found to be in substantial compliance with the overall approvals may be approved by the Development Services Director.
4. **Notice of Right to Protest:** The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day period in which you may protest these fees, dedications, reservations, and other exactions pursuant to Government Code Section 66020(a) began on the date of approval of this project. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.
5. **Secretary of the Interior Standards:** All construction activities, including maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of the historical resource, shall be conducted in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties
6. **Relocation Plan:** Prior to issuance of any building permit to allow for the structure to be relocated, the applicant shall submit to the Development Services Department a structure relocation plan which details the process, schedule, and methods for moving the historic structure. The plan shall also include details of how any necessary dismantling or damage to the structure will be resolved. The relocation plan shall be prepared by a contractor or other qualified professional with experience relocating historic structures and shall be approved by the Development Services Director and Chief Building Official.
7. **Relocation of Structure:** Prior to recordation of the parcel map (TM24-0004), the structure relocation shall be complete, and all building permits related to the relocation of the structure shall be finalized.
8. **Nonconforming Structure:** The existing garage/ADU structure is nonconforming with regard to height and ADU size. The structure shall not be modified in any way that will worsen the existing nonconformities.

- 9. Recordation of Parcel Map:** If the parcel map (TM24-0004) is not recorded with the Santa Clara County Recorder's Office prior to its expiration, the Conditional Use Permit for the flag lot (CUP24-0004) shall be null and void.
- 10. Pre-Construction Meeting:** Prior to issuance of the first building permit associated with the structure relocation, the applicant team (including the property owner, architect, project arborist, historic consultant, and project contactor) shall attend a pre-construction meeting with Development Services staff to discuss construction logistics and measures to ensure the protection of the historic resource and protected trees.
- 11. Single-Phase Development:** Construction of the project shall be done in a single phase and shall not be considered a multi-phased development.
- 12. Accessory Structure(s):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.
- 13. Landscape Screening:** All utility meters, lines, transformers, backflow preventers, etc., on-site or off-site, must be shown on all site plan drawings and landscape plan drawings. All such facilities shall be located so as to not interfere with landscape material growth and shall be screened in a manner which respects the building design and setback requirements. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.
- 14. Arborist Report:** Tree protection measures shall be implemented consistent with the recommendations of the arborist report prepared by Nigel Belton and dated August 16, 2024. Prior to occupancy, the arborist shall certify in writing that all tree preservation measures have been implemented. Approved measures from the report shall be included in the building permit drawings.
- 15. Protected Trees:** Trees Nos. 1, 2, 4, 7, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 28, 29, 30, 32, 33, 35, 41, 43, 44, 45, and 46 shall be protected under this application and cannot be removed without a Tree Removal Permit from the Development Services Director.
- 16. Monthly Arborist Inspections:** Throughout relocation and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction activity to maintain tree health, shall be provided to the Planning Division.
- 17. Tree Protection Fencing:** The grading and tree or landscape plan of the Building Permit submittal shall show the required tree protection fencing which shall be installed around the dripline(s), of all protected trees as deemed necessary by the project arborist. Tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground and shall not be removed until all building construction has been completed unless approved by the Planning Division.



**18. Street Tree Protection:** All designated City street trees are to be protected throughout construction activity with protection measures shown on building permit plans.

**19. Basic Air Quality Construction Measures:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures: (a) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day; (b) all haul trucks transporting soil, sand, or other loose material off-site will be covered; (c) all visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (d) all vehicle speeds on unpaved roads will be limited to 15 mph; (e) all roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used; (f) idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measures Title 13, Section 2485, of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points; and (g) all construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

**20. Discovery of Contaminated Soils:** If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: (a) contractor employees working on-site will be certified in OSHA’s 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; (b) the contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) the contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) the contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) the contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) the contractor will cover the bottom of excavated areas with sheeting when work is not being performed.

**21. Discovery of Archaeological Resources:** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, it is recommended that all work within 100’ of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil (“midden”) containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be

potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.

**22. Discovery of Human Remains:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50' radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to their authority, the Coroner shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Development Services Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Development Services Director.

**23. Discovery of Paleontological Resources:** In the event that a fossil is discovered during construction of the project, excavations within 50' of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.

**24. Preconstruction Nesting Bird Survey:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys will be performed no more than two days prior to construction activities to locate any active nests as follows:

The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500' for active nests—with particular emphasis on nests of migratory birds—if construction (including site preparation) will begin during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the applicant, in coordination with the appropriate City staff, shall establish no-disturbance buffer zones around the nests, with the size to be determined in consultation with the California Department of Fish and Wildlife (usually 100' for perching birds and 300' for raptors). The no-disturbance buffer will remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or

more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.

### **Building Division**

- 25. Building Permit:** A building permit is required for the structure relocation and building design plans shall comply with the latest applicable adopted standards. The applicant shall submit supplemental application materials as required by the Building Division to demonstrate compliance.
- 26. Conditions of Approval:** The building permit plans shall incorporate the conditions of approval into the Building Permit submittal plans and provide a letter which explains how each condition of approval has been satisfied and/or which sheet of the plans the information can found.
- 27. Work Hours/Construction Site Signage:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 5:30 p.m., Monday through Friday, from 9:00 a.m. to 3:00 p.m. Saturday, and no work is permitted on Sunday or any City observed holiday. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours and contact information, including an after-hours contact.
- 28. Disturbance Coordinator:** The applicant shall designate a “disturbance coordinator” who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.
- 29. California Water Service Upgrades:** The applicant is responsible for contacting and coordinating with the California Water Service Company any water service improvements including but not limited to relocation of water meters, increasing water meter sizing or the installation of fire hydrants. The City recommends consulting with California Water Service Company as early as possible to avoid construction or inspection delays.
- 30. Public Utilities:** The applicant shall contact electric, gas, communication, and water utility companies regarding the installation of new utility services to the relocated structure.

### **Engineering Division**

- 31. Encroachment Permit:** An encroachment permit and/or an excavation permit shall be obtained prior to any work done within the public right-of-way and it shall be in accordance with plans to be approved by the City Engineer.
- 32. Public Utilities:** The applicant shall contact electric, gas, communication, and water utility companies regarding the installation of new utility services to the site.

- 33. Americans with Disabilities Act:** All improvements shall comply with the latest version of Americans with Disabilities Act (ADA).
- 34. Sewer Lateral:** Any new proposed sewer lateral connection shall be approved by the City Engineer. One sanitary sewer connection per lot is required. New sanitary sewer laterals shall be installed and connected to the sanitary sewer main on Kathy Ln.
- 35. Transportation Permit:** A Transportation Permit, per the requirements specified in California Vehicle Code Division 15, is required before any large equipment, materials or soil is transported or hauled to or from the construction site.
- 36. Stormwater Management Plan:** The project shall comply with the San Francisco Bay Region Municipal Regional Stormwater (MRP) National Pollutant Discharge Elimination System (NPDES) Permit No. CA S612008, Order R2-2022-0018, Provision C.3 dated May 11, 2022 and show that all treatment measures are in accordance with the C.3 Provisions for Low Impact Development (LID). The improvement plans shall include the “Blueprint for a Clean Bay” plan sheet in all plan submittals.
- 37. Stormwater Pollution Prevention**  
The projects shall comply with the Stormwater Pollution Prevention Measures per Chapter 10.16 of the Los Altos Municipal Code prior to the issuance of the building permit.
- 38. Storm Water Filtration Systems:** Prior to the issuance of the building permit the applicant shall ensure the design of all storm water filtration systems and devices are without standing water to avoid mosquito/insect infestation. Storm water filtration measures shall be installed separately for each lot. All storm water runoff shall be treated onsite. Discharging storm water runoff to neighboring properties or public right-of-way and connections to existing underground storm water mains shall not be allowed.
- 39. Grading and Drainage Plan:** The applicant shall submit detailed plans for on-site and off-site grading and drainage plans that include drain swales, drain inlets, rough pad elevations, building envelopes, and grading elevations for review and approval by the City Engineer prior to the issuance of the building permit.
- 40. Public Infrastructure Repairs:** The applicant shall repair any damaged right-of-way infrastructures and otherwise displaced curb, gutter and/or sidewalks shall be removed and replaced as directed by the City Engineer or his designee prior to final occupancy.