

File No. 230174

Committee Item No. _____

Board Item No. 33

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____

Date: _____

Board of Supervisors Meeting

Date: February 28, 2023

Cmte Board

- | | | |
|--------------------------|-------------------------------------|--|
| ☐ | ☐ | Motion |
| ☐ | ☒ | Resolution |
| ☐ | ☐ | Ordinance |
| ☐ | ☐ | Legislative Digest |
| ☐ | ☐ | Budget and Legislative Analyst Report |
| ☐ | ☐ | Youth Commission Report |
| ☐ | ☒ | Introduction Form |
| ☐ | ☐ | Department/Agency Cover Letter and/or Report |
| ☐ | ☐ | MOU |
| ☐ | ☐ | Grant Information Form |
| ☐ | ☐ | Grant Budget |
| ☐ | ☐ | Subcontract Budget |
| ☐ | ☐ | Contract/Agreement |
| ☐ | ☐ | Award Letter |
| ☐ | ☐ | Application |
| ☐ | ☐ | Public Correspondence |

OTHER

☐	☐	_____
☐	☐	_____
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Prepared by: Arthur Khoo

Date: February 23, 2023

Prepared by: _____

Date: _____

1 [Declaring the Intent to Waive Fee for Major Encroachment Permit - Seal Rock Inn
2 Restaurant]

3 **Resolution of intent to waive the Major Encroachment Permit fees and related ongoing**
4 **fees, including the annual occupancy assessment fee, for the Seal Rock Inn**
5 **Restaurant.**

6
7 WHEREAS, The Seal Rock Inn is located at 545 Point Lobos Avenue next to the quiet,
8 scenic surrounding of Sutro Heights Park; and

9 WHEREAS, Sutro Heights Park is located above the Cliff House, in the Lands' End
10 Area of the San Francisco Richmond District, with views of Ocean Beach, Seal Rock, the
11 Pacific Ocean, and the Farallon Islands; and

12 WHEREAS, Visitors from all over the Bay Area, California, the United States, and the
13 world come to explore the rocky cliffs above the ocean, and to witness the spectacular views
14 of the shore, the Marin Headlands, and the Golden Gate; and

15 WHEREAS, Sutro Heights and the Cliff House was purchased and became the
16 residence of Mayor Adolph Sutro in 1881; after the first cliff house burned down in 1894,
17 Adolph Sutro built the second Cliff House into a seven story Victorian chateau; and

18 WHEREAS, As documented in the book entitled "The Separate World of Sutro Heights"
19 by Barbara Elam, Sutro Heights was a part of a 21-acre parcel of land purchased by Adolph
20 Sutro who constructed an elegant garden which depicts his travels around the world; and

21 WHEREAS, Sutro Heights, Park, the land adjacent to the Cliff House, was created in
22 1885 by Mayor Sutro to be an elegant formal public garden; and

23 WHEREAS, The Cliff House and Sutro Heights Park were gifted to the Golden Gate
24 National Recreational Area in 1977, and is now operated by the National Park; and
25

1 WHEREAS, The Seal Rock Inn is near the legendary Louis' Restaurant, which served
2 the area for 83 years before its closure and is known for practically hanging over the cliffs
3 above the Sutro baths; and

4 WHEREAS, Established in 1974, the Seal Rock Inn and Restaurant offers a
5 welcoming, family friendly environment, great food and spectacular views; and

6 WHEREAS, The restaurant at the Seal Rock Inn has been a major economic driver to
7 the Sutro Heights area, providing a comfortable space to neighbors and visitors; and

8 WHEREAS, The Seal Rock Inn has been family owned and operated by native San
9 Franciscans for over five decades, and passed through multiple generations of families; and

10 WHEREAS, During in the pandemic, the restaurant at the Seal Rock Inn shutdown due
11 to a lack of patronage; and

12 WHEREAS, Without the restaurant at Seal Rock Inn, the area is empty and desolate,
13 re-opening the restaurant will be essential to bringing the Sutro Heights area back to life, and
14 attracting new visitors; and

15 WHEREAS, Since 1974, The Seal Rock Inn has maintained the same footprint
16 including a long-established patio; and

17 WHEREAS While the restaurant was closed, Public Works determined that the
18 restaurant was encroaching on the public right of way, and assessed a fine of \$8,000 against
19 the Seal rock Inn; and

20 WHEREAS, The assessed fine and costs associated with legalizing the encroachment
21 of the restaurant inhibits the ability for Seal Rock Inn to find a new restaurant tenant; and

22 WHEREAS, Re-opening the Seal Rock Inn restaurant is critical to bringing the Sutro
23 Heights area back to life; and

24 WHEREAS, Seal Rock Inn will submit an application for a Major Encroachment
25 Permit to install the project; and

1 WHEREAS, Pursuant to Public Works Code, Section 786, the Board of Supervisors
2 must approve the proposed Major Encroachment Permit; and

3 WHEREAS, The Seal Rock Inn has the potential to once again be a neighborhood
4 staple, serving delicious foods and offering a friendly environment to neighbors and tourists
5 alike: now, therefore, be it

6 RESOLVED, That in order to facilitate this revitalization of this valuable City
7 destination, the Board of Supervisors intends to waive the Major encroachment Permit fees
8 and related ongoing fees, including the annual occupancy assessment, as part of its decision
9 regarding the Encroachment Permit; and, be it

10 FURTHER RESOLVED, The Board of Supervisors also intends to make the Major
11 Encroachment Permit fee waiver retroactive to the date of the permit application submission
12 and waive any previously assessed charges or penalties related to the encroachment; and, be
13 it

14 FURTHER RESOLVED, The Board of Supervisors urges Public Works to review the
15 Seal Rock Inn.

Introduction Form

(by a Member of the Board of Supervisors or the Mayor)

I hereby submit the following item for introduction (select only one):

- ☐ 1. For reference to Committee (Ordinance, Resolution, Motion or Charter Amendment)
- ☒ 2. Request for next printed agenda (For Adoption Without Committee Reference)
(Routine, non-controversial and/or commendatory matters only)
- ☐ 3. Request for Hearing on a subject matter at Committee
- ☐ 4. Request for Letter beginning with "Supervisor [] inquires..."
- ☐ 5. City Attorney Request
- ☐ 6. Call File No. [] from Committee.
- ☐ 7. Budget and Legislative Analyst Request (attached written Motion)
- ☐ 8. Substitute Legislation File No. []
- ☐ 9. Reactivate File No. []
- ☐ 10. Topic submitted for Mayoral Appearance before the Board on []

The proposed legislation should be forwarded to the following (please check all appropriate boxes):

- ☐ Small Business Commission ☐ Youth Commission ☐ Ethics Commission
- ☐ Planning Commission ☐ Building Inspection Commission ☐ Human Resources Department

General Plan Referral sent to the Planning Department (proposed legislation subject to Charter 4.105 & Admin 2A.53):

- ☐ Yes ☐ No

(Note: For Imperative Agenda items (a Resolution not on the printed agenda), use the Imperative Agenda Form.)

Sponsor(s):

Chan

Subject:

Resolution declaring the Board of Supervisors Intent to Waive the Major Encroachment Fee and ongoing fees for the Seal Rock Inn and Restaurant.

Long Title or text listed:

Resolution of Intent to waive the Major Encroachment Permit fees and related ongoing fees, including the annual occupancy assessment fee, for the Seal Rock Inn Restaurant.

Signature of Sponsoring Supervisor:

