

BOARD of SUPERVISORS



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MEMORANDUM

Date: March 20, 2023
To: Carla Short, Interim Director, Public Works
From: *ACC* Angela Calvillo, Clerk of the Board, Board of Supervisors
Subject: Declaring the Intent to Waive Fee for Major Encroachment Permit - Seal Rock Inn Restaurant (File No. 230174)

On February 28, 2023, the Board of Supervisors adopted Resolution No. 89-23 sponsored by Supervisor Connie Chan (File No. 230174, Declaring the Intent to Waive Fee for Major Encroachment Permit - Seal Rock Inn Restaurant); enacted on March 10, 2023.

Please find the attached courtesy copy of the Resolution for your office's information and consideration.

If you have any questions or concerns, please contact the Office of the Clerk of the Board at (415) 554-5184, or by email: board.of.supervisors@sfgov.org.

c: Member of the Board of Supervisors; Supervisor Connie Chan
David Steinberg, Public Works
Ian Schneider, Public Works
John Thomas, Public Works
Lena Liu, Public Works
Tom Paulino, Mayor's Liaison to the Board of Supervisors
Andres Power, Mayor's Policy Director
Susanna Conine-Nakano, Mayor's Office

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

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.



City and County of San Francisco

Tails
Resolution

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 230174

Date Passed: February 28, 2023

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.

February 28, 2023 Board of Supervisors - ADOPTED

Ayes: 11 - Chan, Dorsey, Engardio, Mandelman, Melgar, Peskin, Preston, Ronen, Safai, Stefani and Walton

File No. 230174

I hereby certify that the foregoing Resolution was ADOPTED on 2/28/2023 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

London N. Breed
Mayor

3/10/23

Date Approved