

**SUMMARY OF PROPOSED COMMITTEE DRAFT:**

**RESOLUTION 22-293  
GRANTING A SPECIAL MANAGEMENT AREA ("SMA") USE PERMIT TO ALLOW  
RENOVATIONS AND ADDITIONS AT SEA LIFE PARK AT TAX MAP KEY ("TMK")  
4-1-014: 004 IN WAIMĀNALO.**

**The PROPOSED CD1** makes the following amendments:

- A. Revises Condition C.2 to delete the phrase "beach sandalwood and other."
- B. Adds a new Condition C.3 that provides that construction permit plans must show that the new Entry Concierge and Gift Shop roof has an earth-toned, natural brown color.
- C. Adds a new Condition G that provides that if the new Entry Concierge and Gift Shop building is found to have visual impacts to the surrounding area, the Applicant shall mitigate those impacts and reletters subsequent conditions accordingly.
- D. Updates relettered Condition I to the standard language used in Special Management Area Use Permit resolutions.
- E. Makes miscellaneous technical and nonsubstantive amendments.



## **RESOLUTION**

GRANTING A SPECIAL MANAGEMENT AREA USE PERMIT TO ALLOW  
RENOVATIONS AND ADDITIONS AT SEA LIFE PARK AT TAX MAP KEY  
4-1-014:004 IN WAIMĀNALO.

WHEREAS, on August 26, 2022, the Department of Planning and Permitting ("DPP") accepted an application (File No. 2022/SMA-57) from Parques Reunidos (the "Applicant") for a Special Management Area ("SMA") Use Permit to allow renovations and additions at Sea Life Park, located in the P-1 Restricted Preservation District at 41-202 Kalaniana'ole Highway Number 7, Waimānalo, and identified as Tax Map Key No. 4-1-014:004 (the "Project"); and

WHEREAS, on October 12, 2022, the DPP held a public hearing which was attended in person by the Applicant's agent, DPP staff members, and several members of the public; and

WHEREAS, on December 16, 2022 (the Applicant having agreed to an extension of the 20-working day administrative deadline), the DPP, having duly considered all evidence and the objectives, policies, and guidelines established in Sections 25-3.1 and 25-3.2 of the Revised Ordinances of Honolulu 2021 ("ROH"), and Sections 205A-2 and 205A-26 of the Hawaii Revised Statutes ("HRS"), completed its report and transmitted its findings and recommendations to the City Council ("Council"); and

WHEREAS, the Council, having received the findings and recommendation of the DPP on December 20, 2022, by Departmental Communication 831 (2022), and having duly considered all of the findings and reports on the matter, desires to approve the subject application for an SMA Use Permit, subject to the conditions enumerated below; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that an SMA Use Permit be issued to the Applicant for the Project, subject to the following conditions:

- A. Development must be in general conformity with the Project as described in the DPP's findings and recommendations, referenced above, and as depicted in Exhibits A through Z, attached hereto and incorporated herein by this reference. Any change in the size or nature of the Project that may have a significant effect on coastal resources addressed in ROH Chapter 25, HRS Chapter 205A, or both, will require a new application and SMA Use Permit. Any change that does not have a significant effect on coastal resources will be considered a minor



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modification and may be permitted under this resolution, upon review and approval of the DPP Director.

- B. Prior to the issuance of building permits, the Applicant must provide documentation to the DPP showing that the traffic-related concerns at both the north and east driveway intersections have been addressed with the State of Hawai'i Department of Transportation, and that a transportation demand management strategy that includes a walking path along the east driveway has been submitted to the Department of Transportation Services.
- C. Construction permit plans must:
  - 1. Note that archaeological monitoring is required during construction;
  - 2. Include existing and proposed landscaping plans showing the use of native, drought resistant plants, and showing that new tree canopy coverage meets or exceeds any lost tree canopy coverage; and
  - 3. Show that the new Entry Concierge and Gift Shop roof has an earth-toned, natural brown color.
- D. If, during construction, any previously unidentified archaeological sites or remains (such as artifacts, shell, bone, or charcoal deposits, human burials, rock or coral alignments, pavings, or walls) are encountered, the Applicant shall stop work and contact the State Historic Preservation Division ("SHPD") immediately. Work in the immediate area must be stopped until the SHPD is able to assess the impact and make further recommendations for mitigative activity.
- E. To minimize impacts to Hawaiian seabirds, the Hawaiian hoary bat, and nearshore marine species that may frequent or traverse the vicinity of the Project site:
  - 1. The decorative basket features mounted on the Entry Feature wall must not be illuminated;
  - 2. The Entry Feature sign may be illuminated; provided that the Applicant utilizes full cutoff fixtures or another light source that minimizes light spillage. The lighting details must be shown on the building permit plans and sign permit plans;



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3. The signage lighting must be turned off after the last guest enters the facility;
  4. All new and replacement outdoor light fixtures must not exceed a color temperature of 3,000 degrees kelvin;
  5. Artificial light from exterior lighting fixtures, including but not necessarily limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes, is prohibited if the light directly illuminates, or is directed to project across property boundaries toward, the shoreline and ocean waters, except as may otherwise be permitted pursuant to HRS Section 205A-71(b);
  6. Outdoor light fixtures must be shielded using full cutoff fixtures, with the light directed downward so that the light bulb is only visible from below the light fixture;
  7. Outdoor lighting must be turned off when human activity is not occurring in the illuminated area;
  8. All Project site work and construction activities are limited to daylight hours; and
  9. Woody plants taller than 15 feet in height must not be disturbed, removed, or trimmed during the Hawaiian hoary bat birthing and pup rearing season from June 1 through September 15.
- F. If tests indicate adverse impacts on coastal waters from seawater pumping or disposal, the Applicant must consider modifying the depth of the dispersion wells or utilizing an alternate method of seawater disposal.
- G. If the new Entry Concierge and Gift Shop building is found to have visual impacts to the surrounding area, the Applicant shall mitigate those impacts.
- H. **The Applicant must obtain a development permit for the Project within four years after the effective date of this SMA Use Permit.** Failure to obtain a development permit within this period will render this SMA Use Permit null and void; provided that this period may be extended as follows:





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1. The DPP Director may extend this period if the Applicant demonstrates good cause, but the period cannot be extended beyond one year from the initial deadline set by City Council.
2. If the Applicant demonstrates good cause for an extension exceeding one year, the DPP Director shall prepare and submit to the City Council a report on the proposed extension, which report must include the Director's findings and recommendations thereon. The Council may approve the proposed extension for a shorter or longer period, or deny the proposed extension, by adoption of a committee report or resolution.

If the Council fails to take final action on the proposed extension within the first to occur of:

- a. 60 days after the receipt of the Director's report; or
- b. The Applicant's then-existing deadline for obtaining a development permit,

the extension will be deemed to be denied.

- I. Approval of this SMA Use Permit does not constitute compliance with other City ordinances, including but not limited to the Land Use Ordinance ("LUO") and building and construction codes, or other governmental requirements, including but not limited to LUO, building, grading, and grubbing permit approvals. They are subject to separate review and approval. The Applicant shall be responsible for ensuring that the final plans for the Project approved under this SMA Use Permit comply with all applicable City ordinances and other governmental provisions and requirements; and



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BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Director of Planning and Permitting; Barbara Natale, G70, 111 South King Street, Suite 170, Honolulu, Hawai'i 96813; and Valerie King, Parques Reunidos, 41-202 Kalaniana'ole Highway Number 7, Waimānalo, Hawai'i 96795.

INTRODUCED BY:

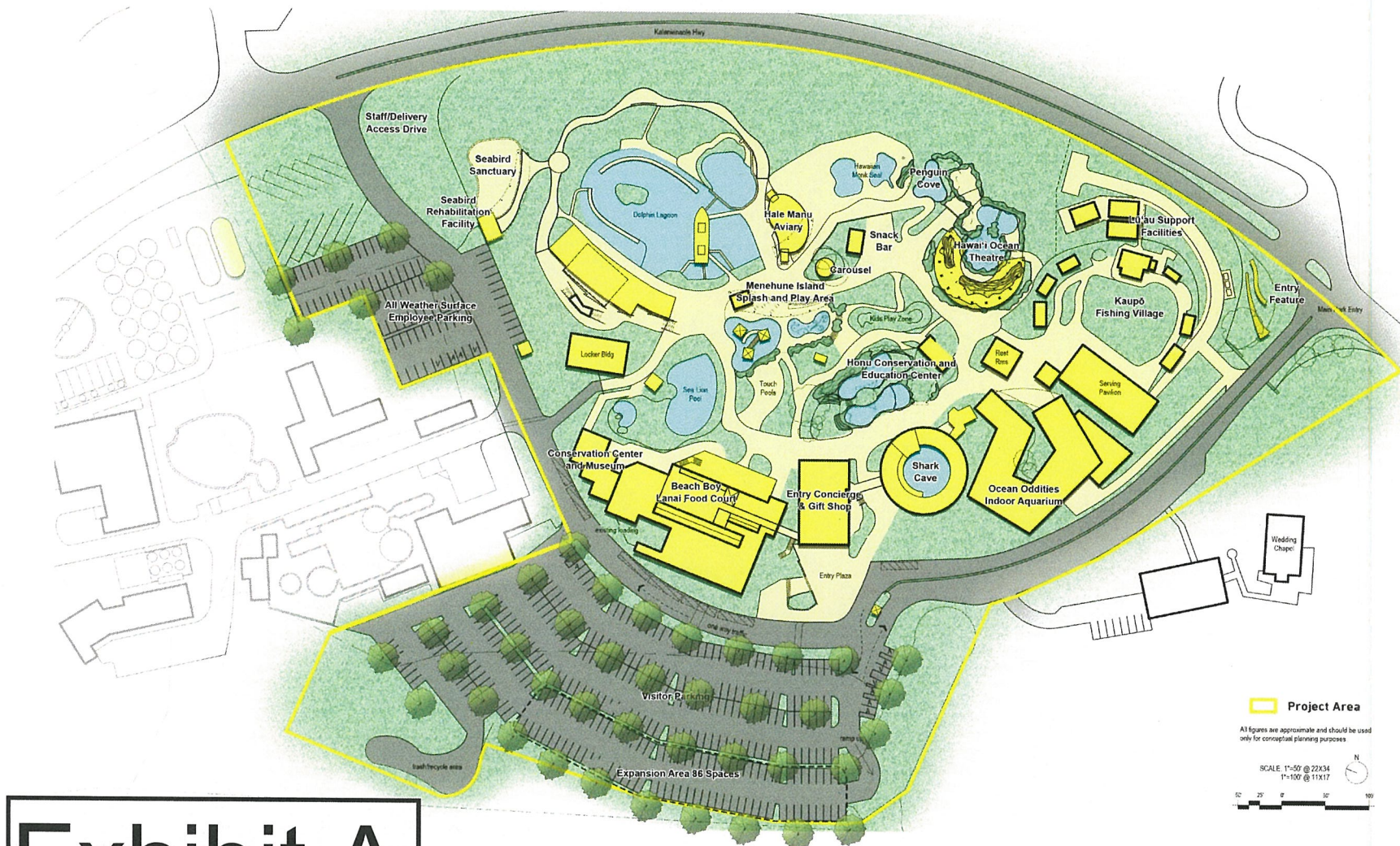
Tommy Waters (br)

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\_\_\_\_\_

DATE OF INTRODUCTION:

December 28, 2022  
Honolulu, Hawai'i

\_\_\_\_\_  
Councilmembers



# Exhibit A

Proposed Sea Life Park Improvements

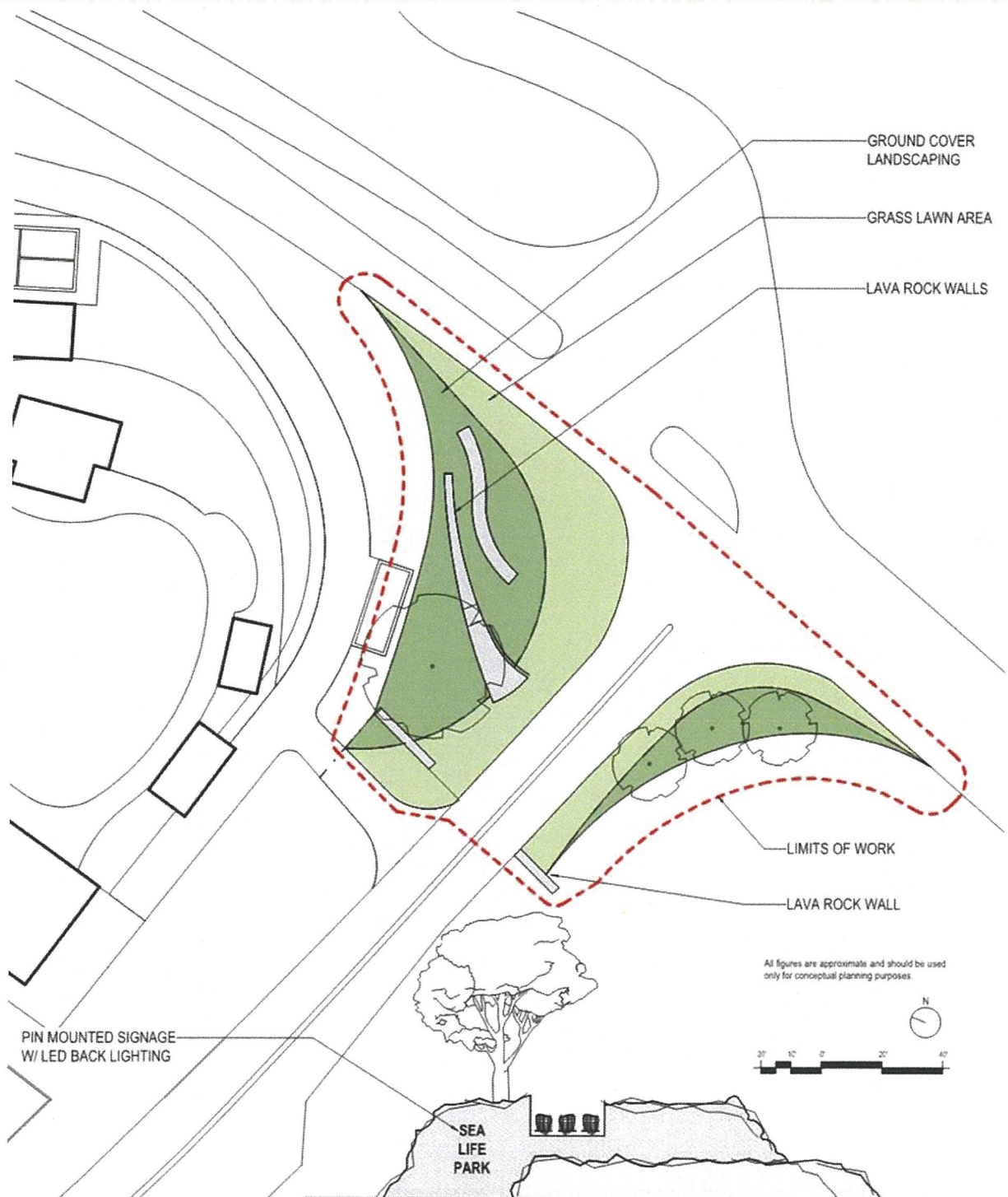


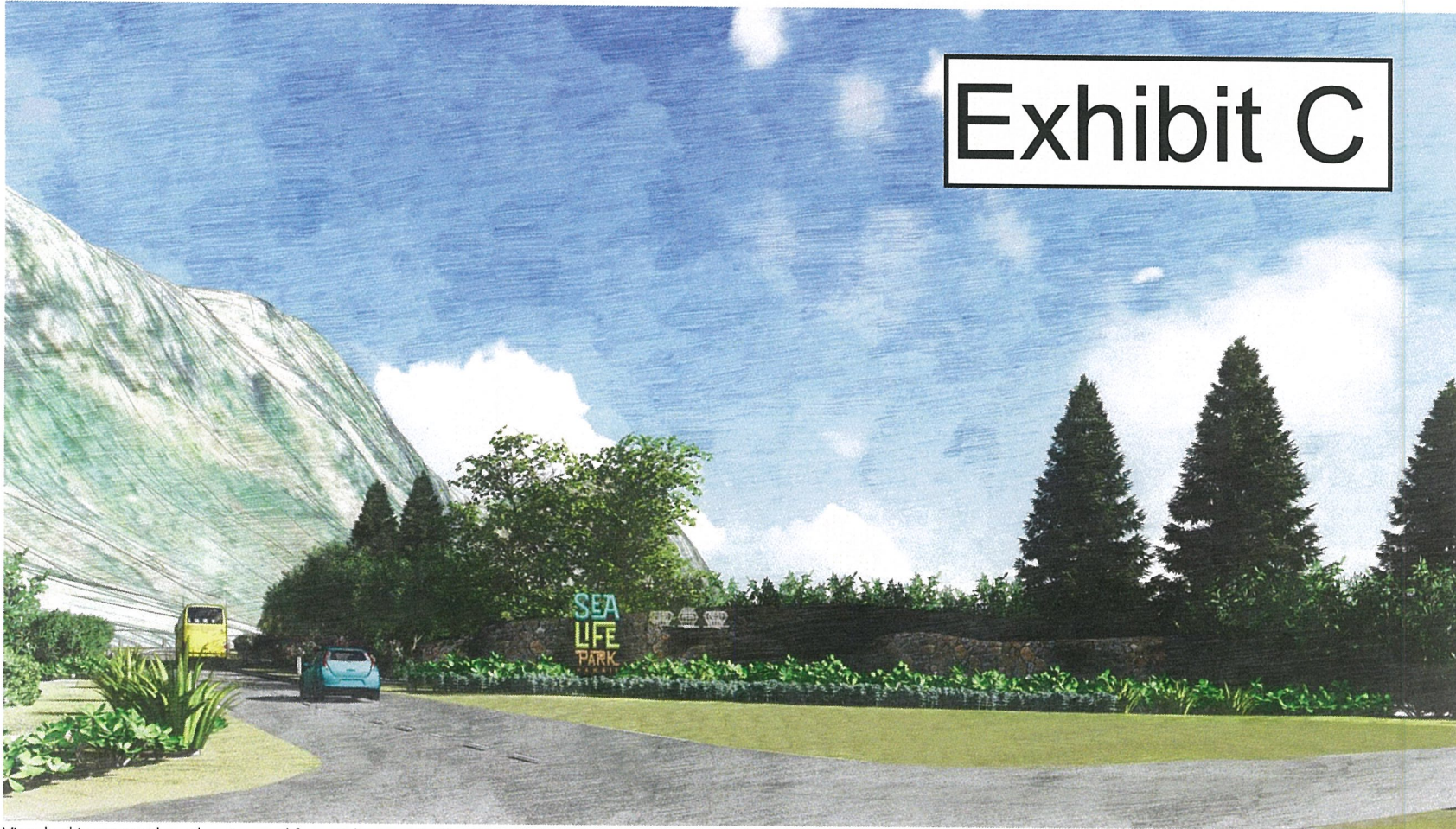
Figure 2.5

# Exhibit B

Updated Entry Feature Concept



# Exhibit C



View looking towards park entry road from Kalanianaʻole Hwy intersection



## Chapter 5

# Concepts and Renderings

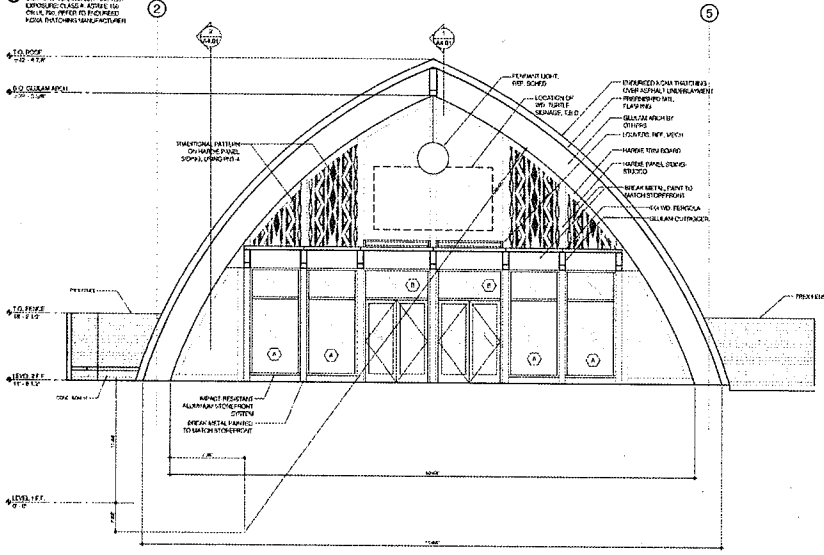


**Figure 5.1**

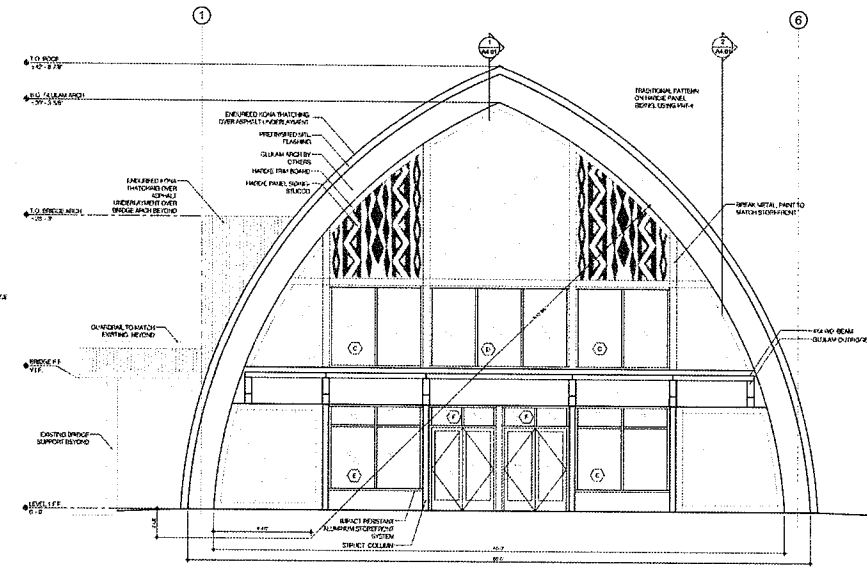
**Entry Concierge Rendering**

**Exhibit D**

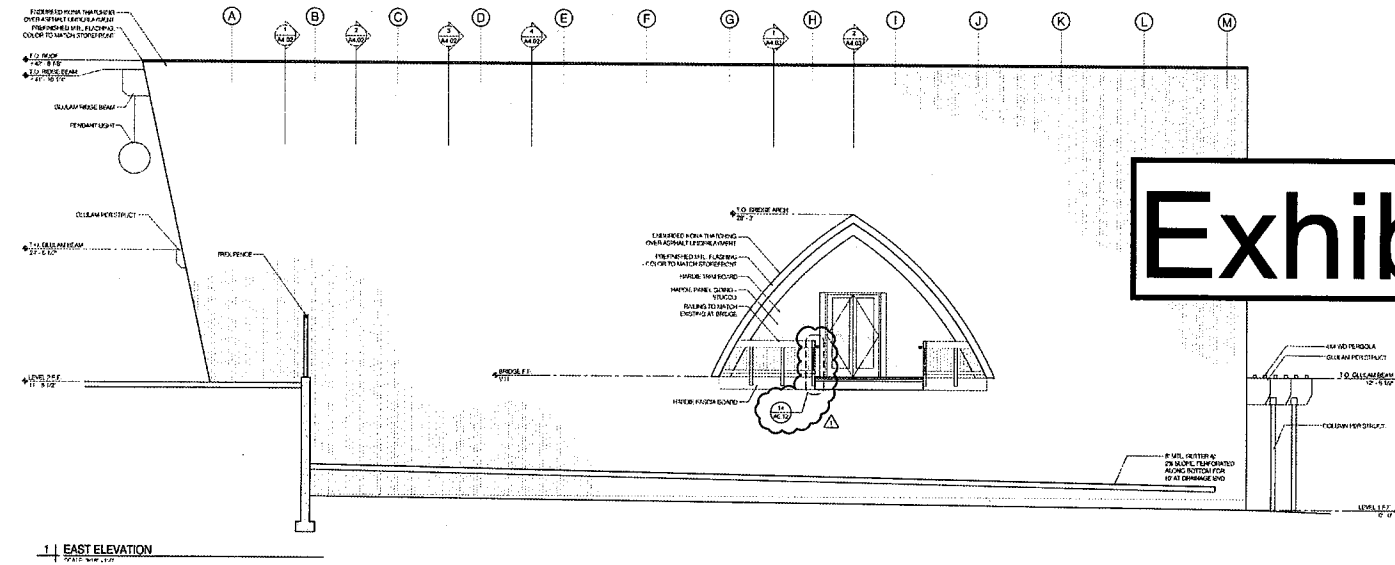
**SHORT NOTES**  
 1. ALL DIMENSIONS AND HEIGHTS AT  
 REGULAR 1/4" GRID SPACING  
 2. ALL DIMENSIONS TO CENTERLINE  
 3. ALL DIMENSIONS TO FACE UNLESS  
 OTHERWISE NOTED  
 4. ALL DIMENSIONS TO FACE UNLESS  
 OTHERWISE NOTED  
 5. ALL DIMENSIONS TO FACE UNLESS  
 OTHERWISE NOTED  
 6. ALL DIMENSIONS TO FACE UNLESS  
 OTHERWISE NOTED



1 | SOUTH ELEVATION  
 SCALE 1/8" = 1'-0"



3 | NORTH ELEVATION  
 SCALE 1/8" = 1'-0"



1 | EAST ELEVATION  
 SCALE 1/8" = 1'-0"

**Exhibit E**

**HDG Architecture**  
 200 S. Washington St.  
 Spokane, WA 99201  
 509-321-5664  
 studiohdg.com

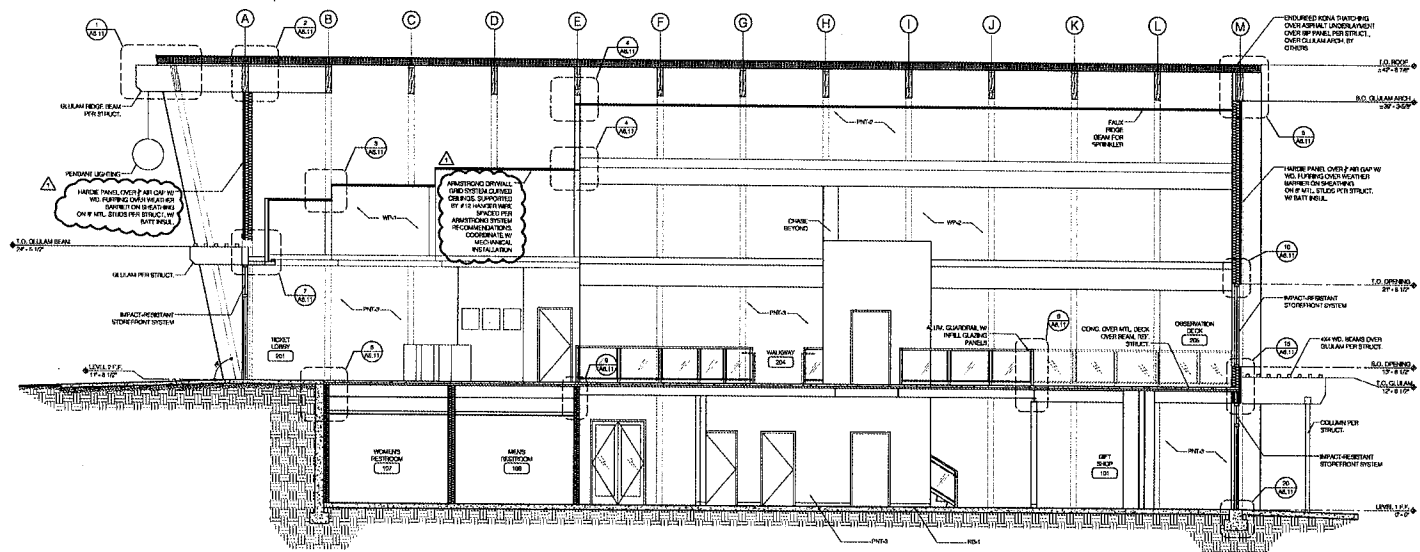


THIS PLAN HAS BEEN PREPARED BY THE ARCHITECT AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE ARCHITECT'S SIGNATURE AND SEAL. EXPIRATION DATE OF LICENSE: APRIL 30, 2018

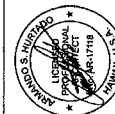
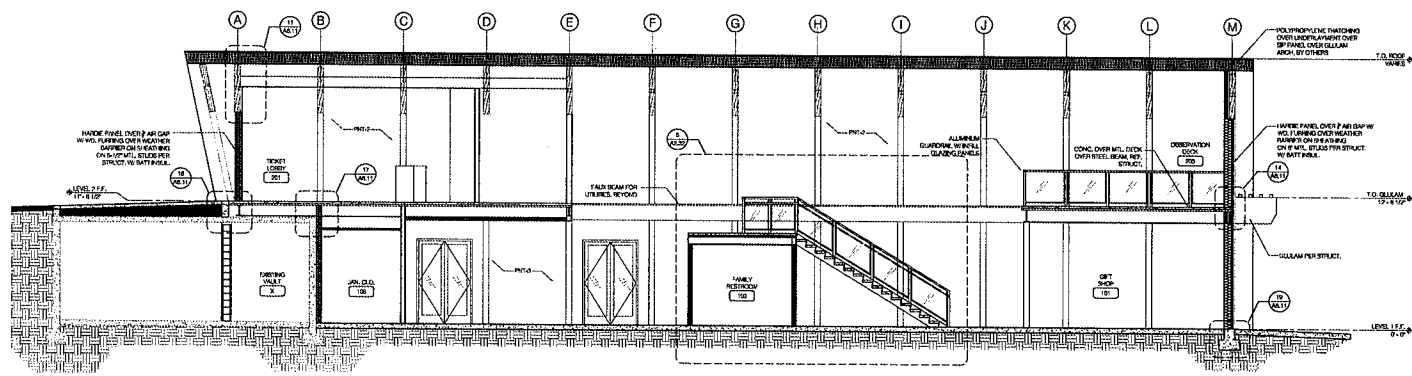
**Entry Concierge & Gift Shop**  
 Sea Life Park Hawaii  
 41-202 Kalahele Hwy  
 Waimanalo, HI 96795

Project: Entry Concierge & Gift Shop  
 Date: 12.1.17

**A3.01**  
 Exterior Elevations  
**PERMIT SET**



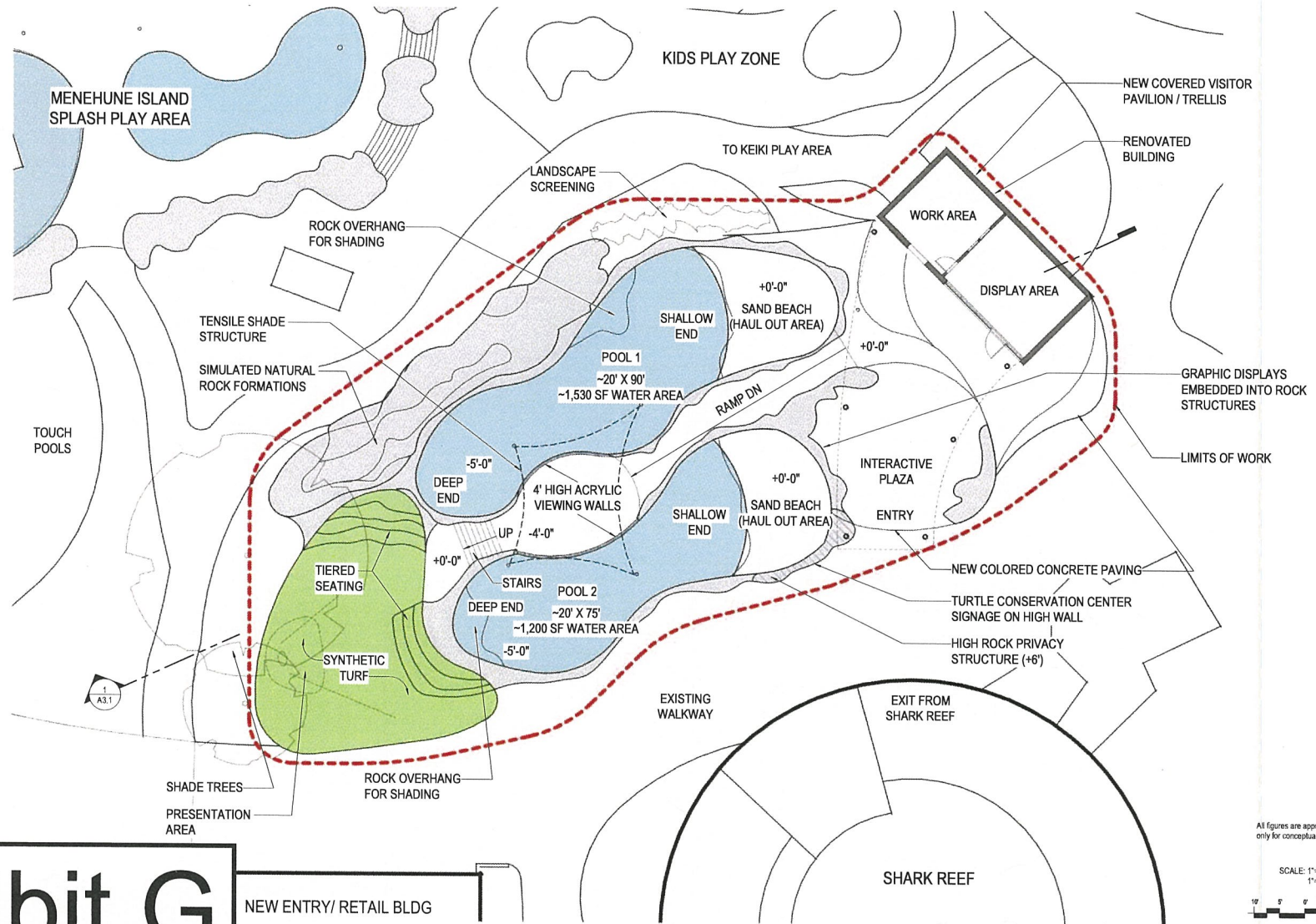
# Exhibit F



12/2/2017 - EPH COMMENTS  
 12/2/18 - CDS COMMENTS  
 2/3/2018 - EPH COMMENTS 2

|           |         |
|-----------|---------|
| Project:  | 16.23   |
| Drawn by: | NMR     |
| Date:     | 12.1.17 |

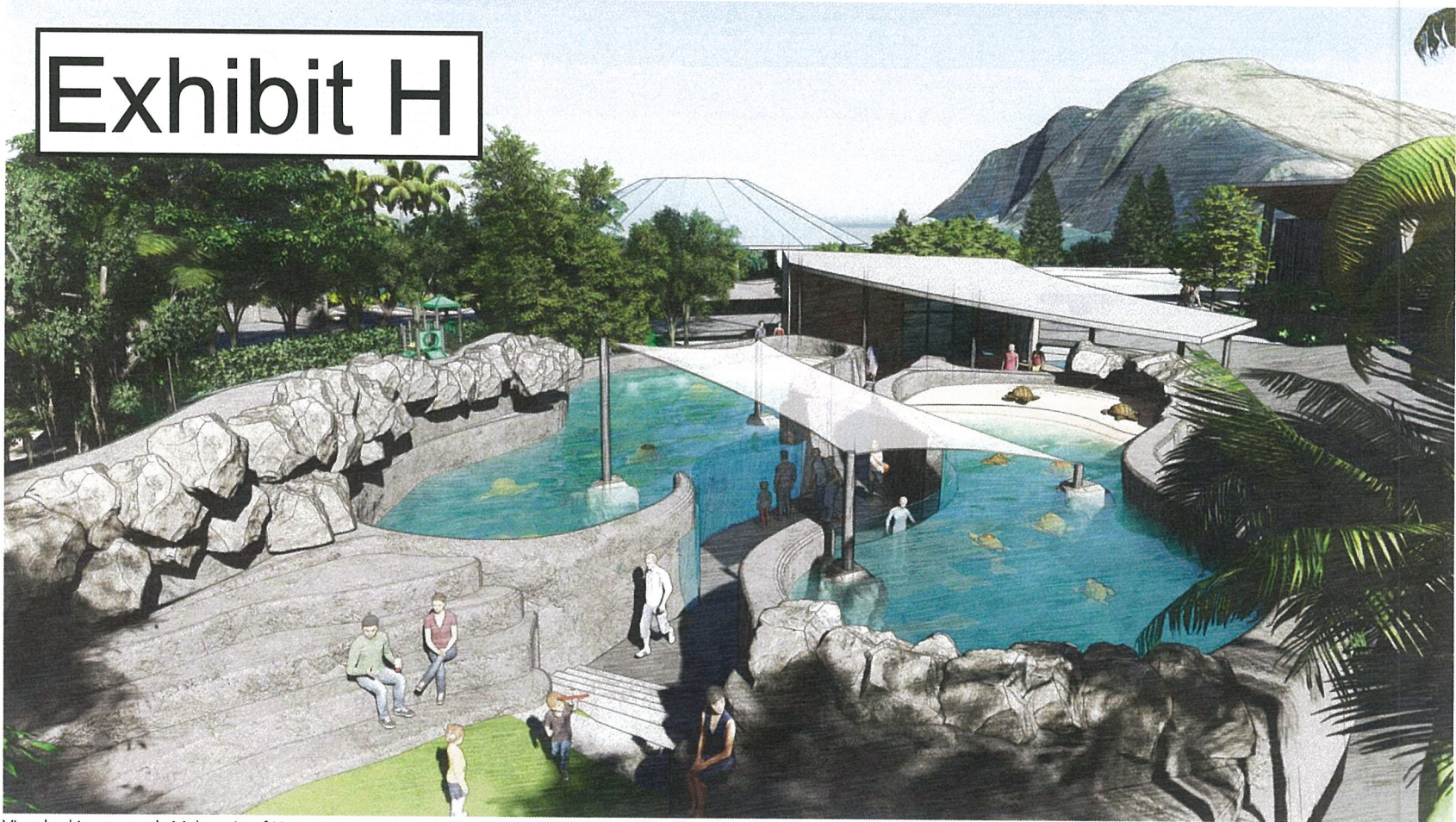




# Exhibit G

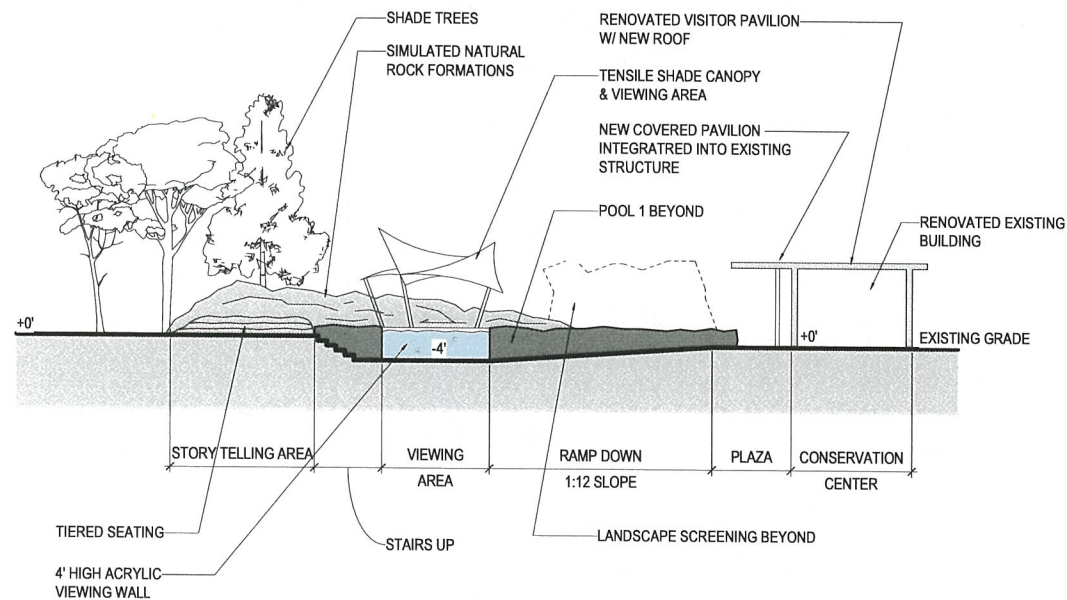


# Exhibit H



View looking towards Makapu'u of Honu Conservation Center

# Exhibit I



All figures are approximate and should be used only for conceptual planning purposes.

SCALE: 1"=10' @ 22X34  
1"=20' @ 11X17





# Exhibit J

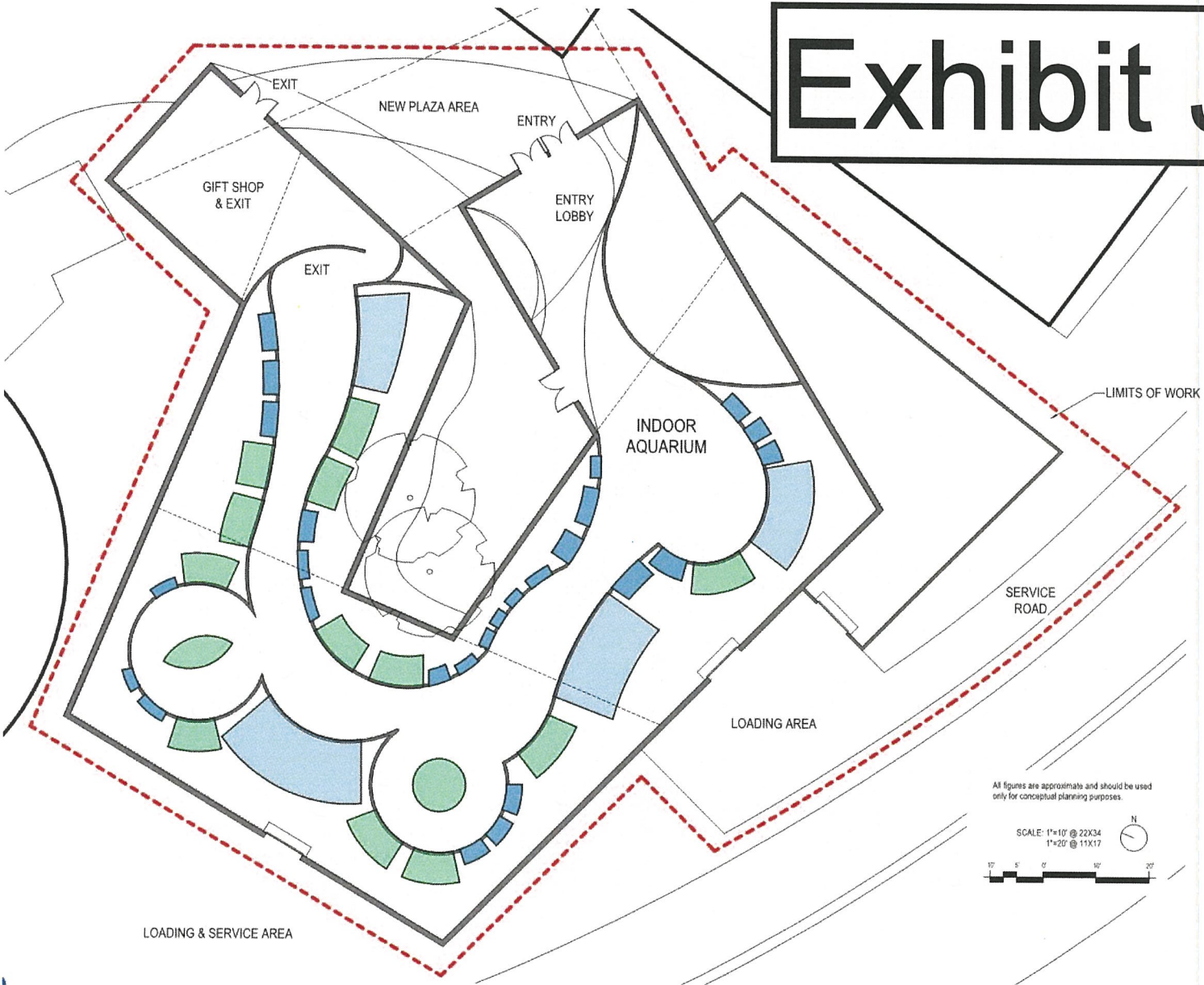


Figure 5.4

Indoor Aquarium Concept

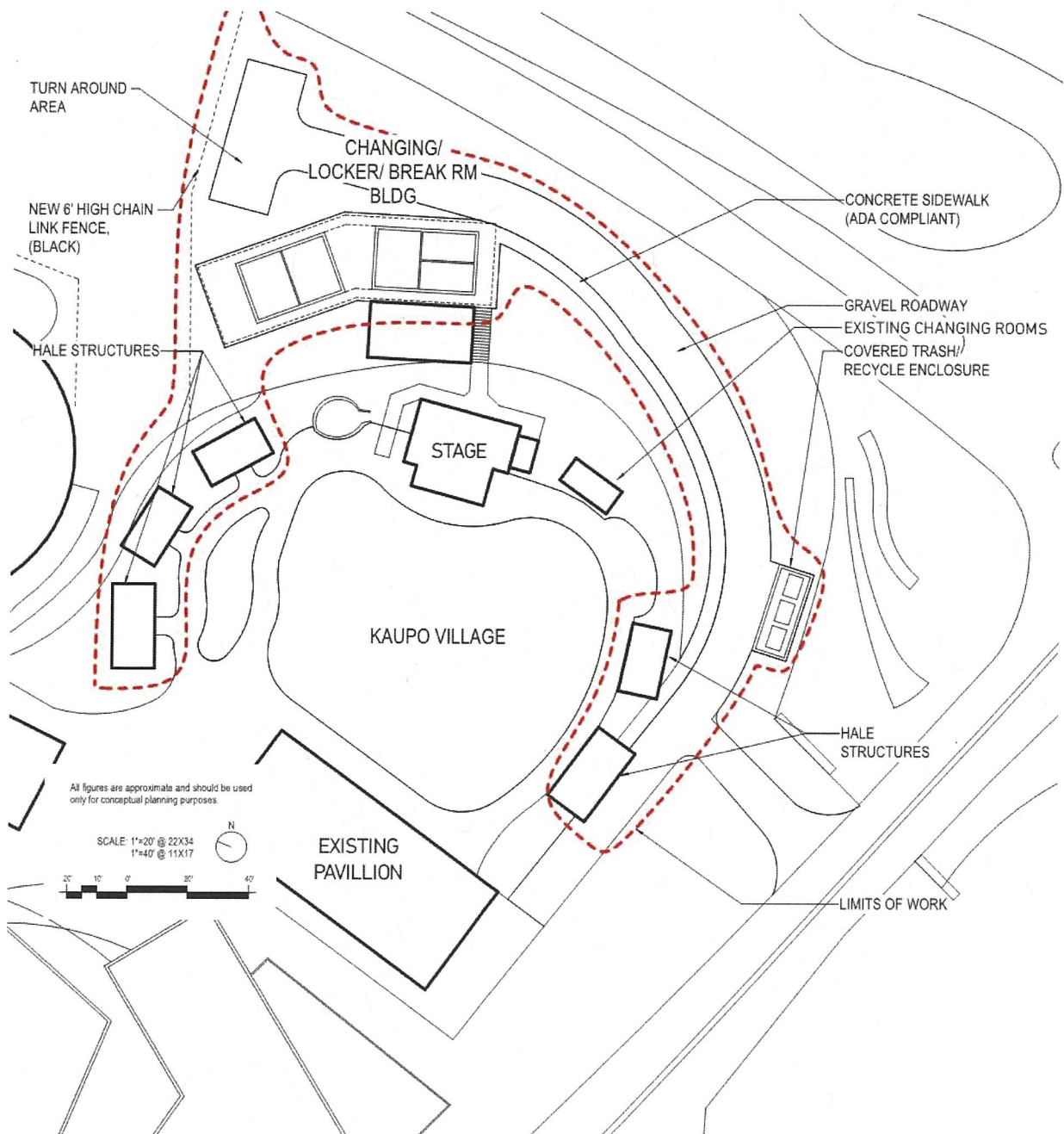


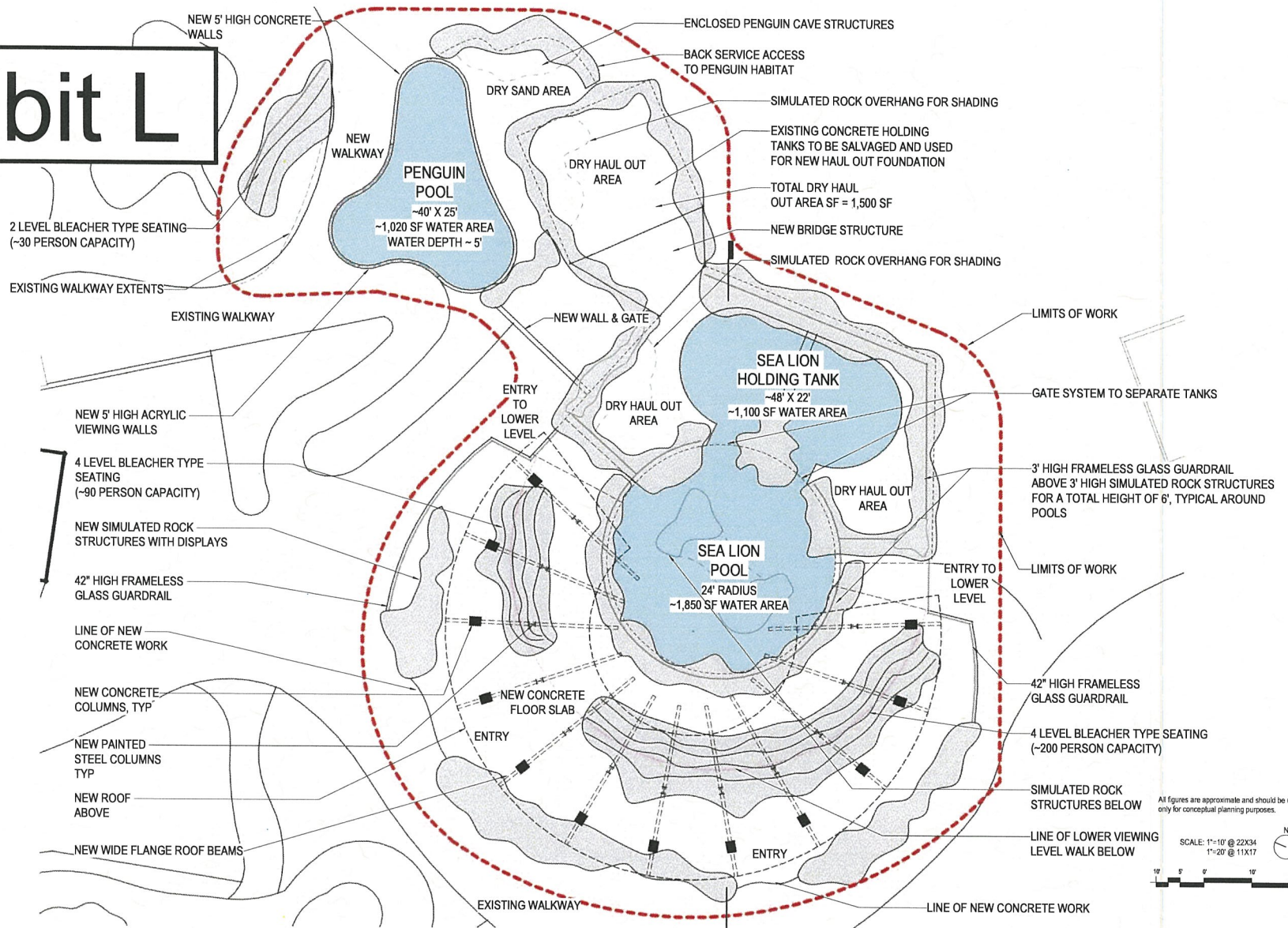
Figure 5.5

# Exhibit K

Kaupō Fishing Village Concept

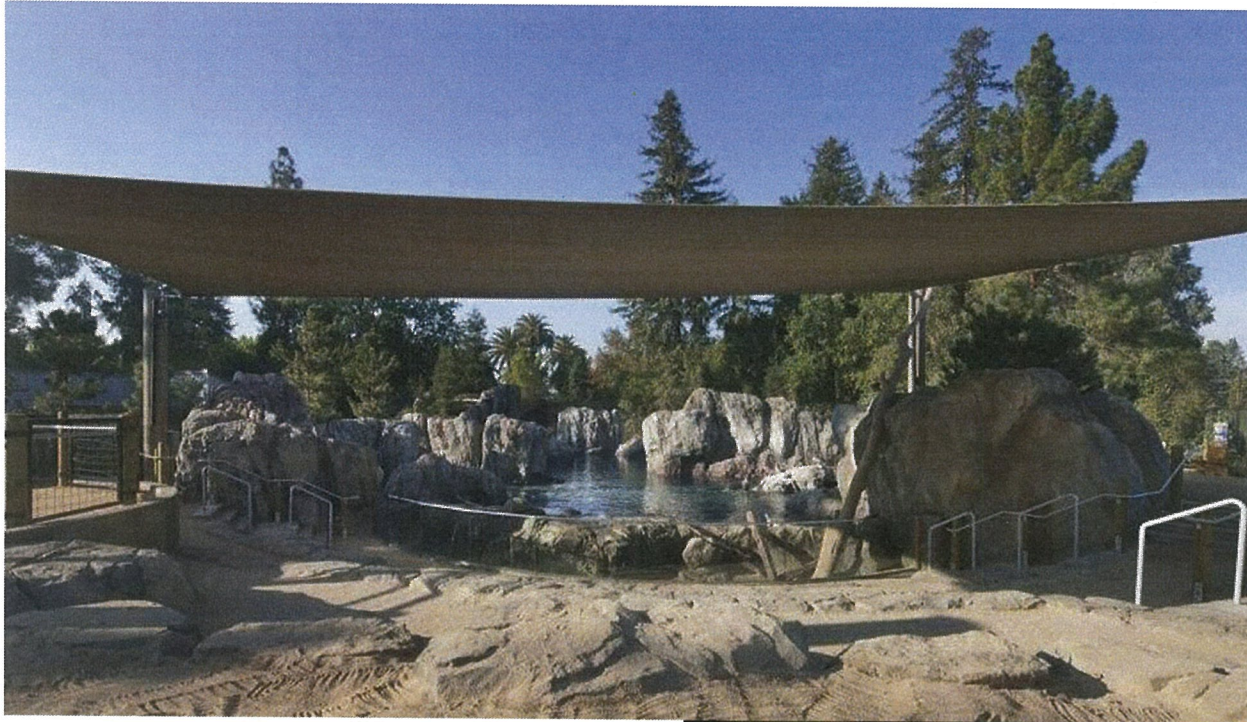


# Exhibit L

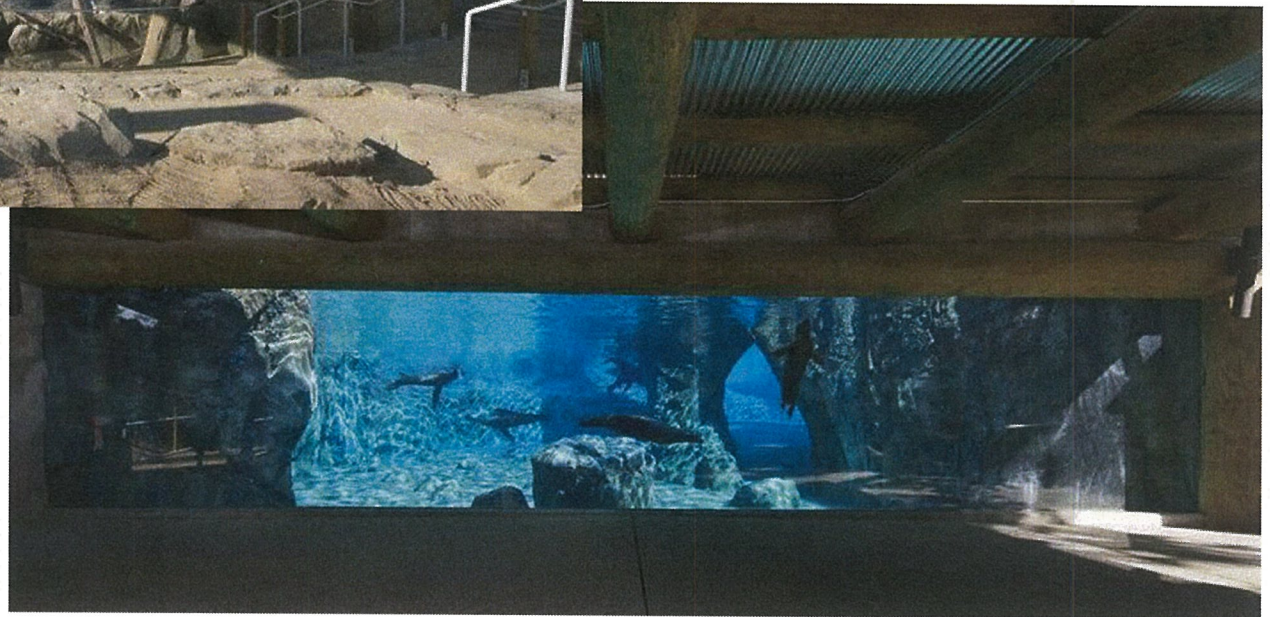




# Exhibit M



Fresno Zoo Sea Lion Cove Precedent



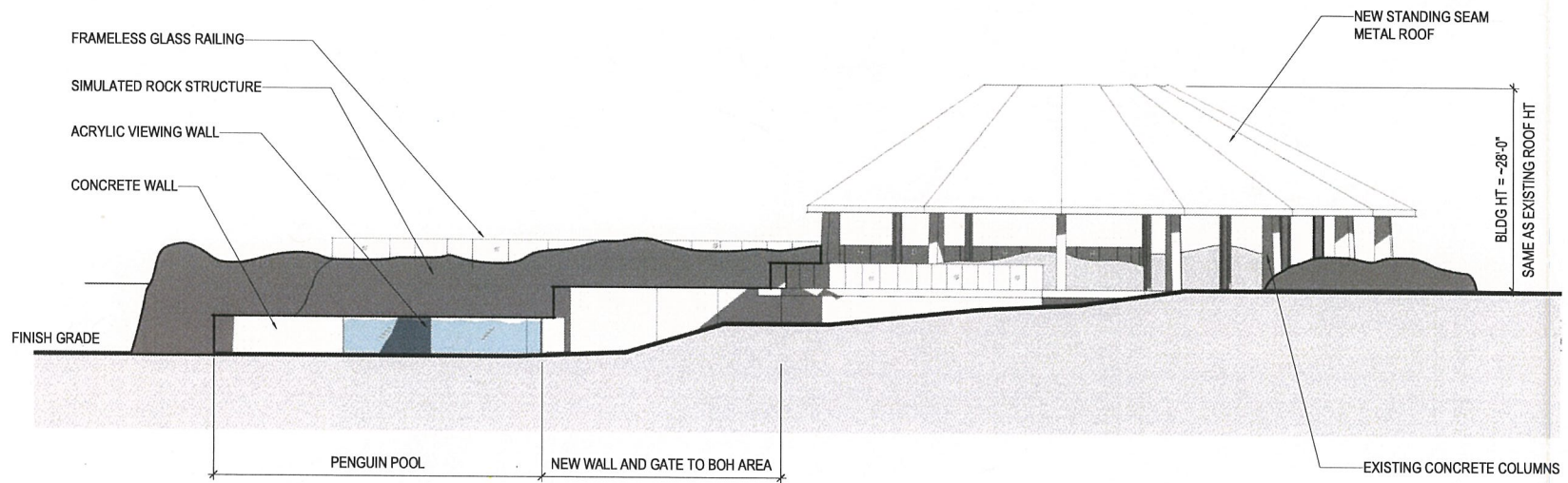




View looking makai at upper level of Hawaii Ocean Theater



# Exhibit O

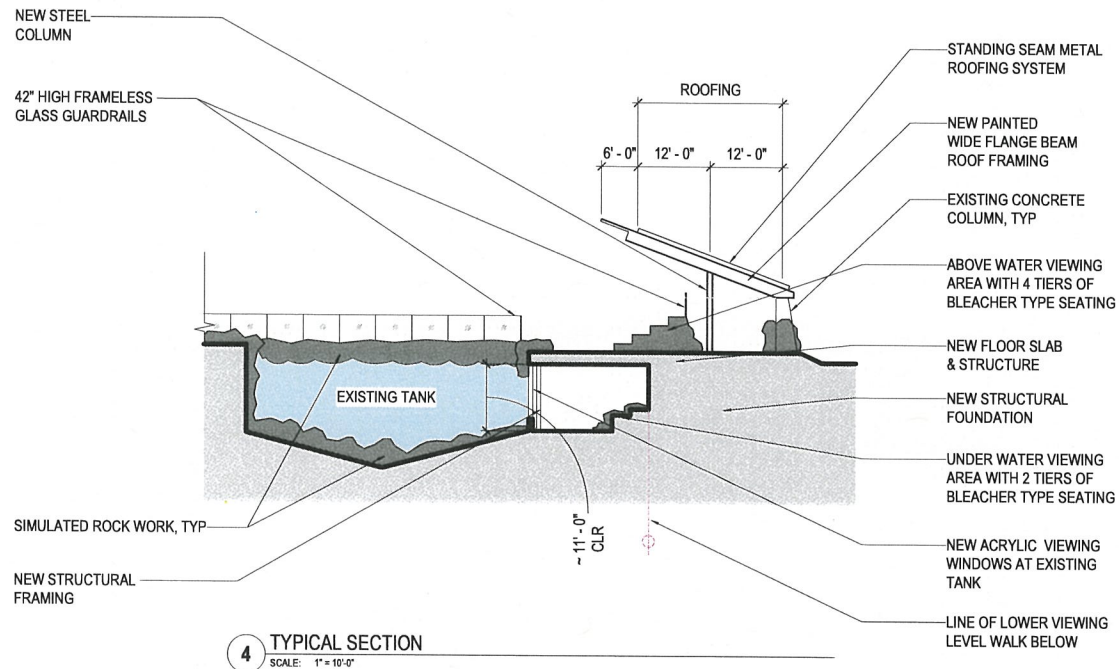


1 SEA LION COVE NORTH ELEVATION  
SCALE: 1/8" = 1'-0"

All figures are approximate and should be used only for conceptual planning purposes.

SCALE: 1"=10' @ 22X34  
1"=20' @ 11X17





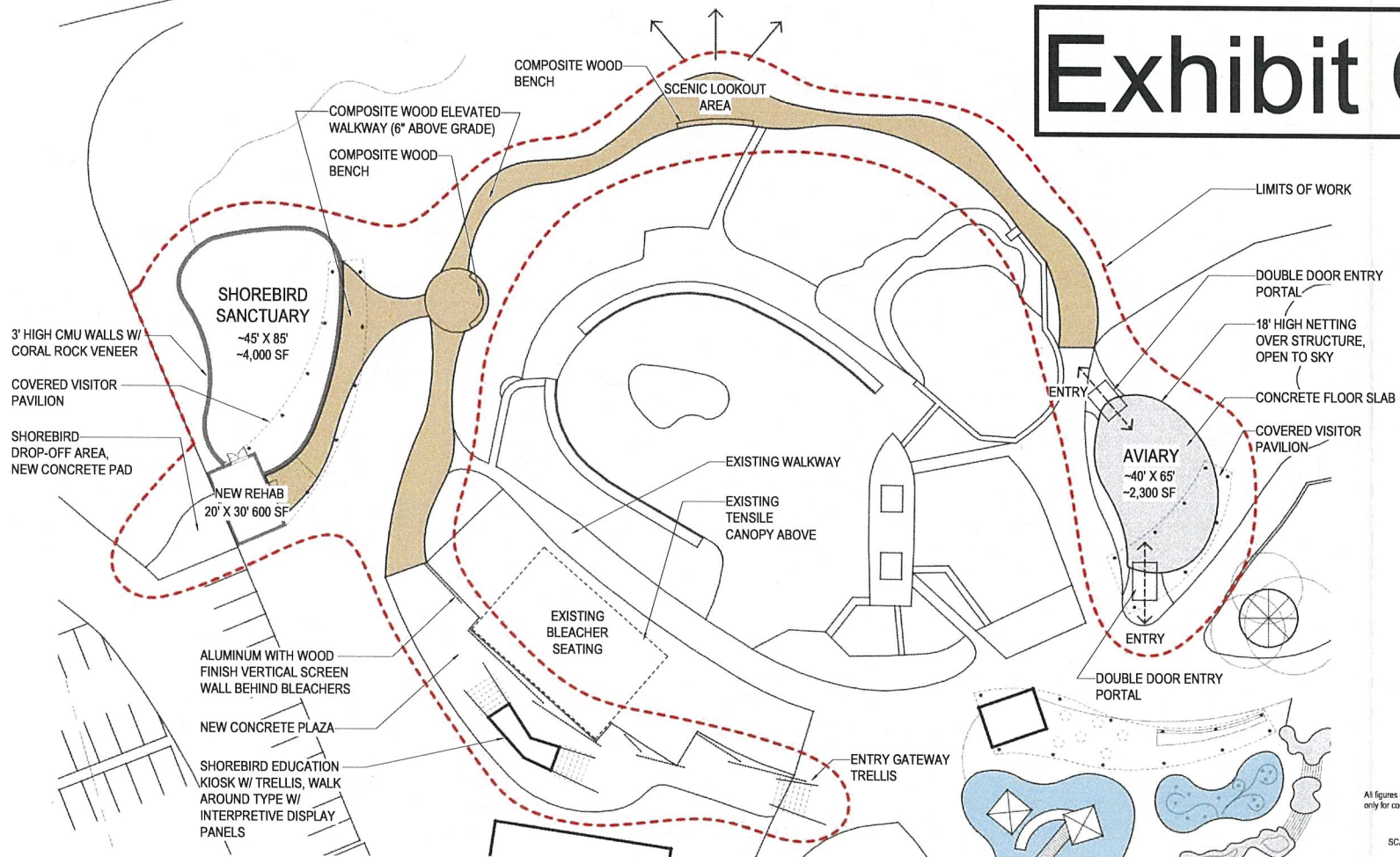
# Exhibit P

All figures are approximate and should be used only for conceptual planning purposes.

SCALE: 1"=10' @ 22X34  
1"=20' @ 11X17



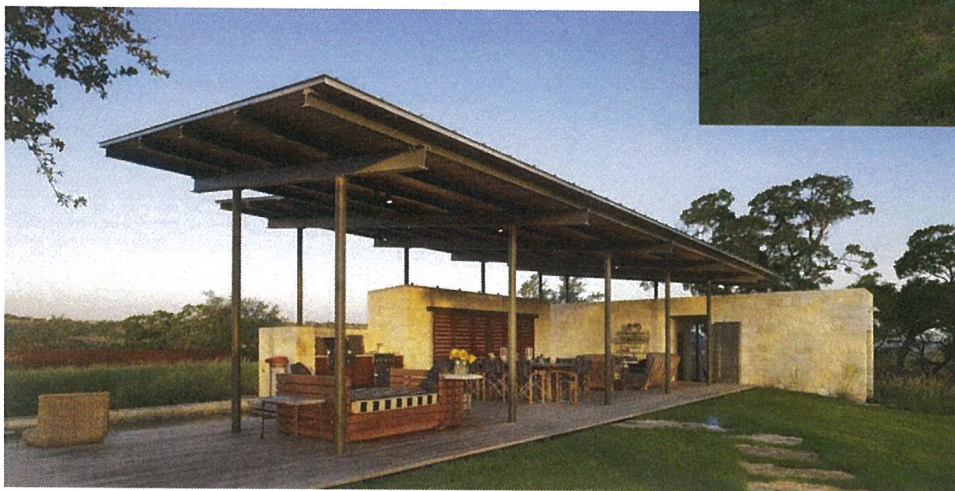
# Exhibit Q



All figures are approximate and should be used only for conceptual planning purposes.



# Exhibit R



Pavilion Precedent



Pavilion and Boardwalk Precedent



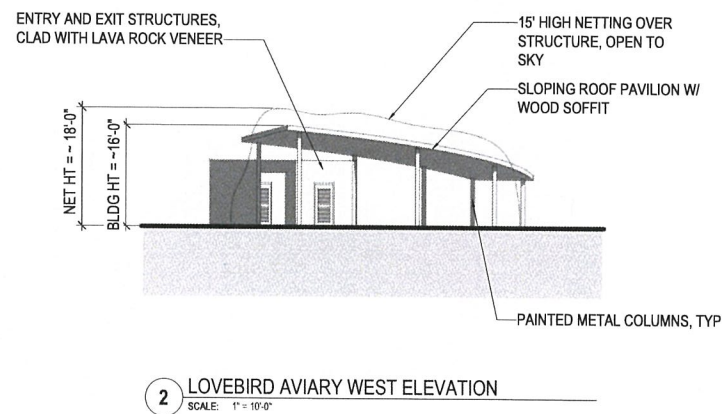
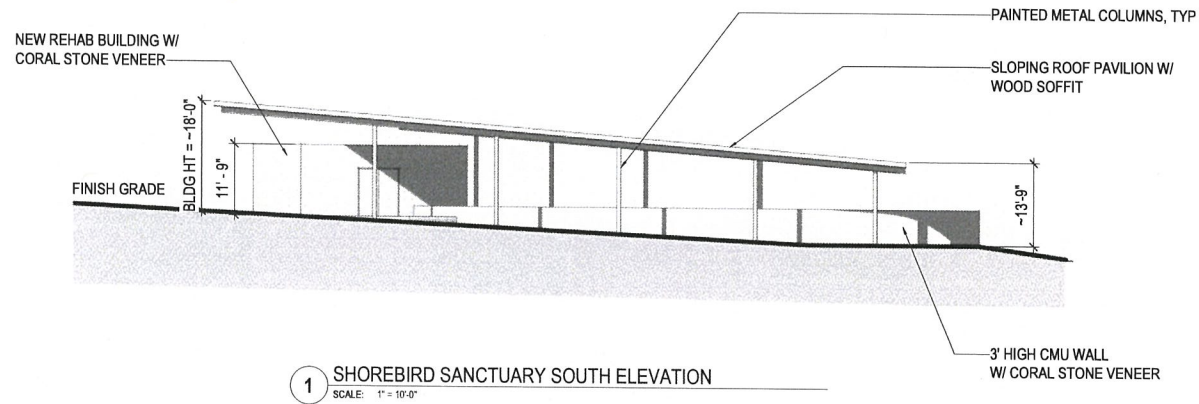
Aviary Precedent



# Exhibit S



View looking makai towards new Shorebird Sanctuary



# Exhibit T

All figures are approximate and should be used only for conceptual planning purposes.

SCALE: 1"=10' @ 22X34  
1"=20' @ 11X17





# Exhibit U

All figures are approximate and should be used only for conceptual planning purposes.

SCALE: 1"=20' @ 22X34  
1"=40' @ 11X17

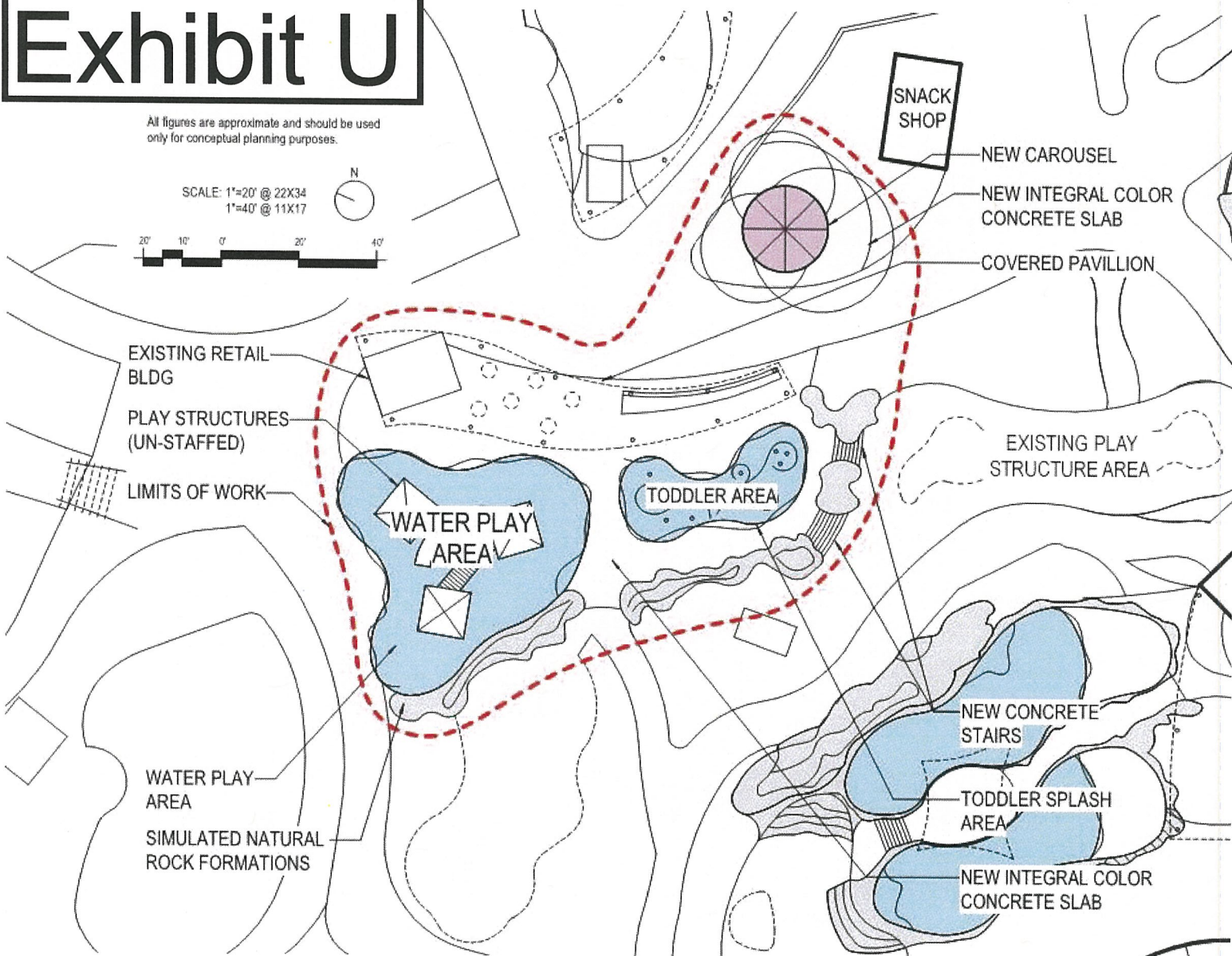


Figure 5.9

Menhune Island Splash Play Area Concept

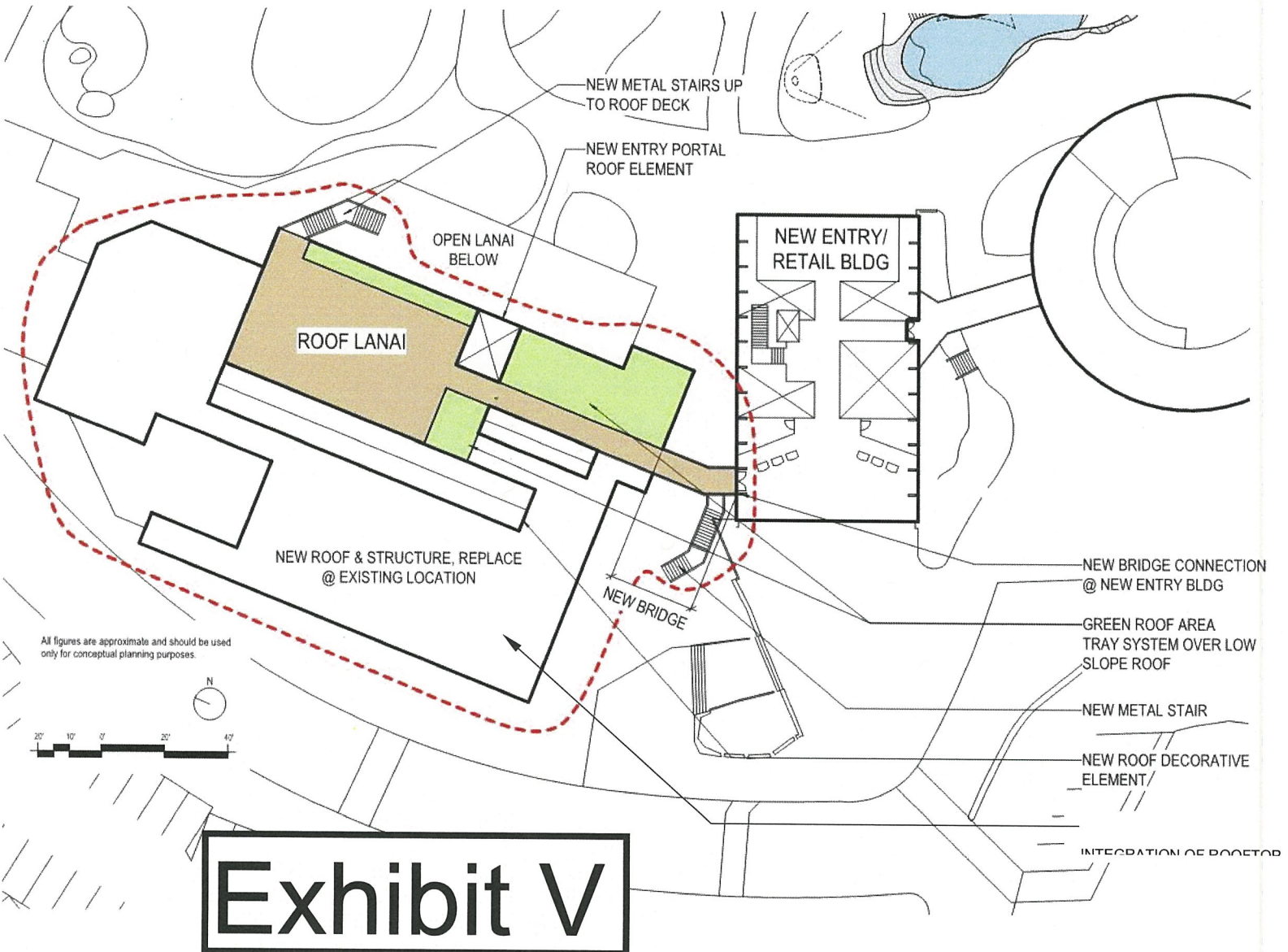
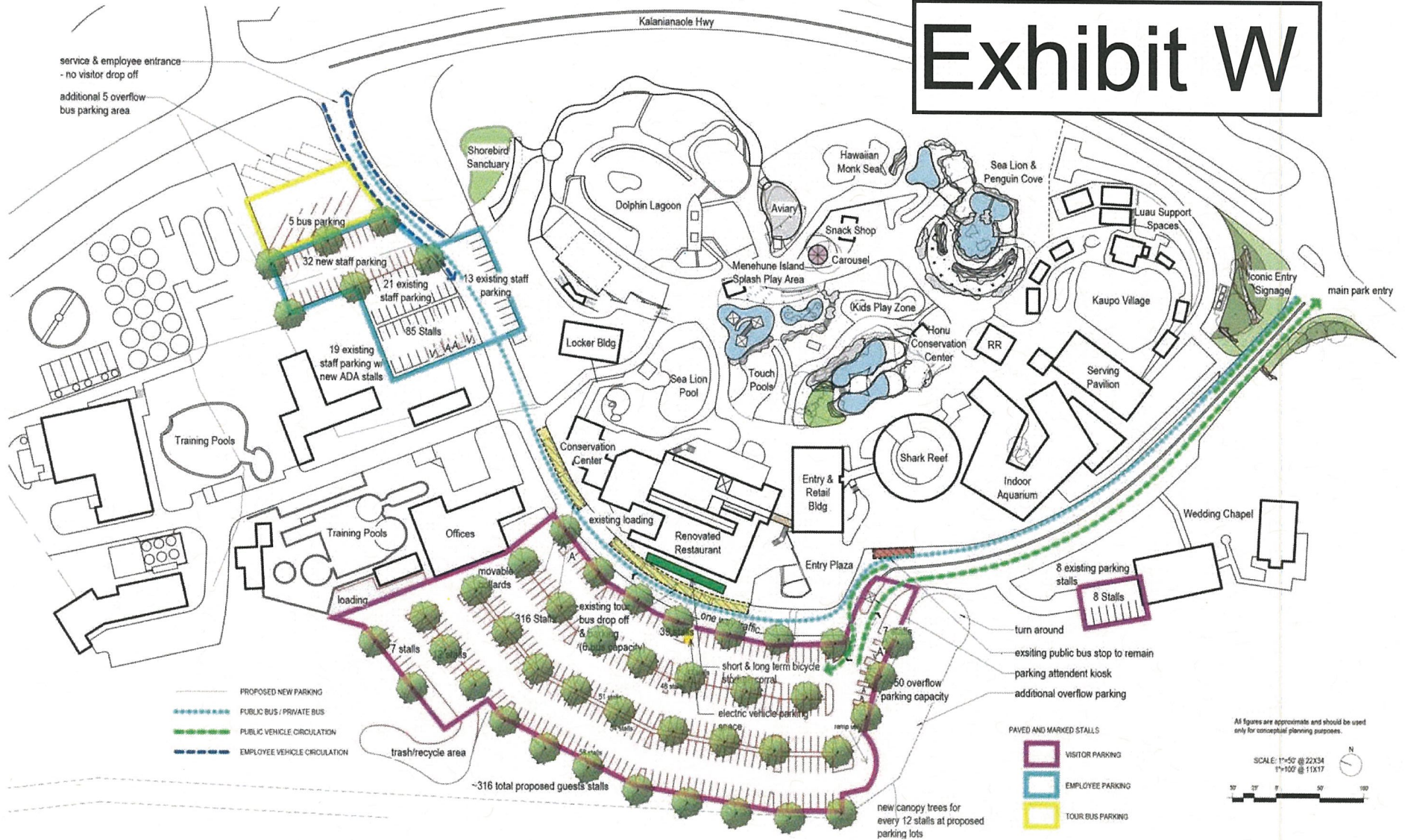


Figure 5.10

Beach Boy Lanai Roof Deck Concept



# Exhibit W





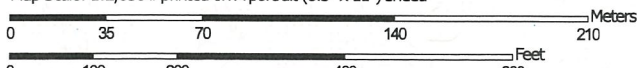
# Soil Map—Island of Oahu, Hawaii



## Exhibit X

Soil Map may not be valid at this scale.

Map Scale: 1:2,650 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 4N WGS84



**Natural Resources  
Conservation Service**

Web Soil Survey  
National Cooperative Soil Survey

11/2/2022

## Map Unit Legend

| Map Unit Symbol                    | Map Unit Name    | Acres in AOI | Percent of AOI |
|------------------------------------|------------------|--------------|----------------|
| BS                                 | Beaches          | 1.3          | 4.4%           |
| FL                                 | Fill land, mixed | 11.1         | 36.7%          |
| rRK                                | Rock land        | 12.7         | 42.0%          |
| rRO                                | Rock outcrop     | 4.4          | 14.5%          |
| <b>Totals for Area of Interest</b> |                  | <b>30.3</b>  | <b>100.0%</b>  |

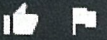
# Exhibit X



Waimanalo, Hawaii



Google



# Exhibit Y

Building at distance obscured by vegetation



View of Sea Life Park from Kalaniana'ole Hwy Looking South



41202 Kalaniana'ole Hwy

Waimanalo, Hawaii



Google

# Exhibit Z



Building at distance obscured by vegetation

View of Sea Life Park from Kalaniana'ole Hwy Looking East