



October 14, 2008

HONORABLE MAYOR AND CITY COUNCIL  
City of Long Beach  
California

**RECOMMENDATION:**

Receive the supporting documentation into the record, conclude the hearing and grant the permits, with or without conditions, grant one-year short-term permits, with or without conditions, or deny the permits on the applications of Sega Entertainment USA, Inc., DBA Gameworks, 10 Aquarium Way, for Entertainment Without Dancing by Patrons, Bowling Alley and Pool Hall at an existing Restaurant. (District 2)

**DISCUSSION**

The Long Beach Municipal Code (LBMC) requires an application be filed and a hearing be held before the City Council whenever this type of activity is requested and before an entertainment permit is granted or denied.

The LBMC also requires that the City Council make a determination that the application is complete and truthful; the applicant, the person interested in the ownership and operation of the entity, and the officers and trustees of the entity are law-abiding persons who will operate and conduct the business activity in a lawful manner; and, that the public peace, welfare, and safety will not be impaired. If this is so, the applications shall be approved, short-term permits shall be approved, or the applications shall be denied.

Attached for your review are the applications from Sega Entertainment USA, Inc., DBA Gameworks. Also attached are reports from various departments and a summary of those reports, as well as the license history of the establishment.

City departments have conducted their investigation in accordance with the LBMC. The following summarizes their findings:

- The Police Department recommends that the permits for entertainment without dancing by patrons, bowling alley and pool hall, be approved subject to standard conditions of the Downtown Dining and Entertainment District.
- The Fire Department finds that the building/location meets the department requirements for the proposed use.

- The Health and Human Services Department finds that the building/location meets department requirements for the proposed use with the condition that the establishment remain in compliance with the Long Beach Noise Ordinance (LBMC Chapter 8.80).
- The Long Beach Development Services Department finds that the building/location meets the department requirements for the proposed use.

In the event that any of the recommended conditions attached to any permit or licenses are in conflict, the permittee shall adhere to the strictest of the applicable conditions. This location has been licensed as a restaurant with alcohol, entertainment without dancing by patrons, bowling alley and pool hall since October 2003.

#### TIMING CONSIDERATIONS

The hearing date of October 14, 2008, has been posted on the business location, with the applicant and property owners within 300 feet notified by mail.

This matter was reviewed by Deputy City Attorney Cristyl Meyers on September 12, 2008.

#### FISCAL IMPACT

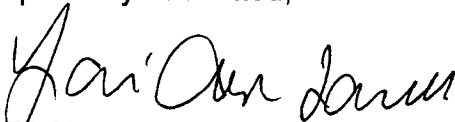
The following fees were collected with the application: Building Review \$20 and Zoning Review \$14 (Long Beach Development Services Department), Police Investigation \$1,000 (Police Department), Temporary Permit \$300, Labels \$90 (Financial Management Department), and Health/Noise Control \$94 (Health and Human Services Department).

The following fees will be collected if the application is approved: Business License \$309.77, Regulatory \$250, DPBIA \$404.97, Bowling Alley permit \$1,110.60 and Pool Hall permit \$333.18 (Financial Management Department).

#### SUGGESTED ACTION:

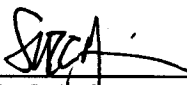
Approve recommendation.

Respectfully submitted,

  
LORI ANN FARRELL  
DIRECTOR OF FINANCIAL MANAGEMENT/CFO

LAF: RIB: JEM

APPROVED:

  
PATRICK H. WEST  
CITY MANAGER

ATTACHMENTS



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 WEST OCEAN BOULEVARD • LONG BEACH, CALIFORNIA 90802

## SUMMARY OF APPLICATION FOR BUSINESS PERMIT

Attached for your review and action is an application for Sega Entertainment USA Inc., DBA Gameworks. Also attached are reports from various departments stating their recommended disposition of the subject application. These are summarized as follows:

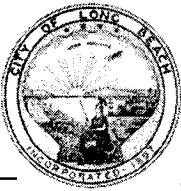
### SUBMITTED FOR CITY COUNCIL ACTION

	<u>Without Concern</u>	<u>With Conditions</u>	<u>With Concerns</u>
Police Department		X	
Fire Prevention Bureau	X		
Health and Human Services Department/Noise Control		X	
Long Beach Development Services	X		

Questions concerning the above may be directed to the following:

Police Department, Chief of Police .....	570-7301
Fire Department, Fire Prevention Bureau .....	570-2500
Health and Human Services Department, Noise Control .....	570-4130
Long Beach Development Services.....	570-6623

Compiled by: Department of Financial Management  
Commercial Services Bureau



# CITY OF LONG BEACH

DEPARTMENT OF FINANCIAL MANAGEMENT

333 West Ocean Boulevard • Long Beach, CA 90802 • (562) 570-5700 • Fax (562) 570-6867

COMMERCIAL SERVICES DIVISION

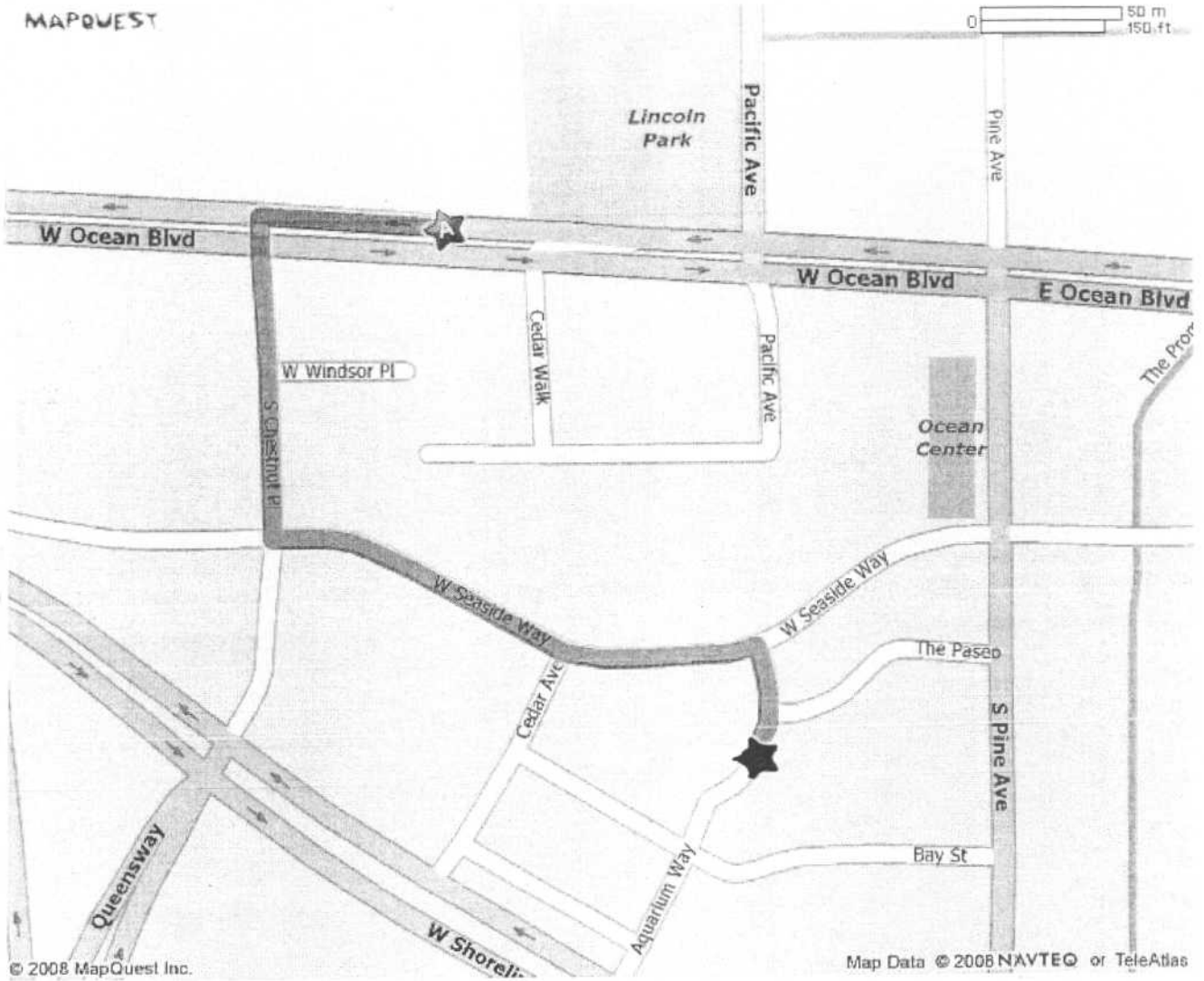
## FIVE YEAR HISTORY OF BUSINESS ESTABLISHMENT 10 Aquarium Way

Sega Entertainment USA Inc. DBA: Gameworks Lic#20822410 05/08 – Pending City Council approval	Entertainment Without Dancing
Sega Entertainment USA Inc. DBA: Gameworks Lic#20811660 05/08 - Pending	Restaurant With Alcohol
Sega Entertainment USA Inc. DBA: Gameworks Lic#20822060 05/08 – Pending City Council approval	Bowling Alley
Sega Entertainment USA Inc. DBA: Gameworks Lic#20822070 05/08 – Pending	Arcade
Sega Entertainment USA Inc. DBA: Gameworks Lic#20822080 05/08 – Pending City Council approval	Pool Hall
D D R C Pike Entertainment LLC DBA: Gameworks Lic#20349490 10/03 – 05/08	Entertainment With Dancing
D D R C Pike Entertainment LLC DBA: Gameworks Lic#20349440 10/03 – 05/08	Restaurant with Alcohol
D D R C Pike Entertainment LLC DBA: Gameworks Lic#20349450 10/03 – 05/08	Bowling Alley
D D R C Pike Entertainment LLC DBA: Gameworks Lic#20349460 10/03 – 05/08	Arcade

D D R C Pike Entertainment LLC  
DBA: Gameworks  
Lic#20349470  
10/03 – 05/08

Pool Hall

# GAMEWORKS 10 AQUARIUM WAY



ENT/ALC/DANCING

CITY OF LONG BEACH BUSINESS LICENSE APPLICATION  
Fourth Floor, City Hall  
333 W. Ocean Boulevard, Long Beach, CA 90802

www.longbeach.gov  
(562) 570-6211  
TDD (562) 570-6793

GENERAL INFORMATION

OWNER'S NAME (If corporation, use corporate name. If partnership - principal) SEGA ENTERTAINMENT USA, Inc  
DRIVER'S LICENSE NUMBER STATE SOCIAL SECURITY NUMBER  
BUSINESS NAME (D.B.A.) GAMEWORKS TYPE OF BUSINESS (Be specific) RESTAURANT/ARCADE HOME OCCUPATION   
BUSINESS ADDRESS STREET CITY STATE ZIP AREA CODE/TELEPHONE 10 AQUARIUM WAY LONG BEACH, CA 90802 562-308-7529  
MAILING ADDRESS (If different) STREET CITY STATE ZIP AREA CODE/TELEPHONE

LIST OF PRINCIPAL OFFICERS OR PARTNERS' NAMES AND ADDRESSES TITLE PERCENT OWNERSHIP  
BENJAMIN KITAY [REDACTED] COO/PRESIDENT 0  
AKITOSHI OGAWA [REDACTED] EVP OPERATION 0  
MASAKAZU MISU [REDACTED] EVP FINANCE 0  
 New Business  Address Change  Ownership Change  Secondary License  Sole Owner  Partnership  Corporation  LLP  LLC

BUSINESS OPERATIONS INFORMATION

START DATE NO. OF EMPLOYEES NO. OF VEHICLES STATE LICENSE NUMBER CLASSIFICATION(S) EXPIRES DATE  
04/10/07 100 [REDACTED] [REDACTED] [REDACTED]  
Does your business have a Calif State Lic?  Y  N

FOOD / ALCOHOL / ENTERTAINMENT SERVICES / FUND RAISING  
Do you plan to sell or serve food? (including pre-packaged)  Y  N Will you provide a towing service?  Y  N  
If selling food, are there more than 10 square feet of food products displayed?  Y  N Will you offer massage, bodywrap, escort or other similar personal services?  Y  N  
If serving food, how many seats?: 126 Will you engage in fund raising?  Y  N  
Do you plan to sell or serve alcoholic beverages?  Y  N Will you deal in coins, stamps, firearms, jewels, or second-hand property?  Y  N  
If yes, ABC License number: 44927D  
HAZARDOUS MATERIALS / MEDICAL WASTE  
Does your business involve amusement machines, video games and/or pool tables?  Y  N Will you use, store, or transport chemicals (new or waste state)?  Y  N  
How many: 143 Type: VIDEO + POOL TABLES Will you manage or produce biohazardous materials or waste?  Y  N  
Does your business have vending machines?  Y  N BUILDING AND FACILITY INFORMATION  
How many: 1 Type: SOFT DRINK Business sq. ft.: 40,000  
Will you have:  dancing,  music (live or amplified)? Do you  own or  rent/lease your business property?  
Does your business require construction and/or remodeling?  Y  N

ACKNOWLEDGMENT

I have received a copy of "OPERATING A BUSINESS IN LONG BEACH". I understand that before I can operate my business in Long Beach, my establishment must comply completely or I will be in violation of the L. B. M. C., Section 3.80.421.5. I declare, under penalty of perjury, that I am authorized to complete this application. To the best of my knowledge and belief, the provided information and statements are true and correct.

• SIGN and return this statement with your remittance. • Make checks payable to City of Long Beach  
Owner or Authorized Agent  
[Signature] 3/5/08 MASAKAZU MISU EVP FINANCE  
SIGNATURE DATE PRINT NAME/TITLE

DO NOT WRITE BELOW THIS LINE

Review Path:  Min  Mod  Com Inspection(s):  Bldg  Fire  Hlth  PD  Oth Date/Time: Injt:  
Basic Tax = \$ Prev Use: Entertainment/Bar/Party Exp Date:  
Employees # @ \$ = Prev Lic: Restaurant  
Vehicles # @ \$ = Exp date:  
Other # @ \$ = District: OS  
DPIA, BSPA, BKBA base = 300500  
PIA Employees # @ \$ = SIC: 5813  
Regulatory =  
Investigation =  
Misc. Fees 527828 Noise [REDACTED] Entered by: [REDACTED]  
Sub Total 05-07-08 [REDACTED] Date: 5/8/08  
Zoning E-R. [REDACTED] BU  
Building Inspection [REDACTED]  
Total [REDACTED] 20822410  
Zoning Review  Y  N  N/A  
By: [Signature]  
Date: [REDACTED]  
 New construction  Reuse  
Zone:  
Comments: Prelim Review only

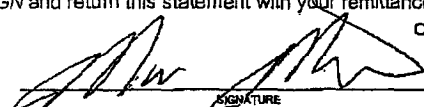
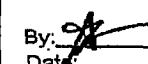
NOTE: THIS IS NOT A BUSINESS LICENSE: DO NOT OPERATE UNTIL A VALID LICENSE HAS BEEN ISSUED  
REV 11/99 THIS INFORMATION IS AVAILABLE IN AN ALTERNATIVE FORMAT BY CONTACTING (562) 570-6211.

BOWLING ALLEY

CITY OF LONG BEACH BUSINESS LICENSE APPLICATION  
Fourth Floor, City Hall  
333 W. Ocean Boulevard, Long Beach, CA 90802

www.longbeach.gov  
(562) 570-6211  
TDD (562) 570-6793



GENERAL INFORMATION			
OWNER'S NAME (If corporation, use corporate name. If partnership - principal) <b>SEGA ENTERTAINMENT USA, INC</b>	DRIVER'S LICENSE NUMBER	STATE	SOCIAL SECURITY NUMBER
BUSINESS NAME (D.B.A.) <b>GAMEWORKS</b>	TYPE OF BUSINESS (Be specific) <b>BOWLING ALLEY RESTAURANT BAR &amp; DISCO</b>		HOME OCCUPATION <input type="checkbox"/>
BUSINESS ADDRESS <b>10 AQUARIUM WAY</b>	STREET	CITY <b>LONG BEACH</b>	STATE <b>CA</b>
MAILING ADDRESS (If different)	STREET	CITY	STATE
LIST OF PRINCIPAL OFFICERS OR PARTNERS' NAMES AND ADDRESSES		TITLE	PERCENT OWNERSHIP
<b>BENJAMIN KITAY</b>		<b>COO/PRESIDENT</b>	<b>0</b>
<b>AKITDISHI OGAWA</b>		<b>EVP OPERATION</b>	<b>0</b>
<b>MASAKAZU MISU</b>		<b>EVP FINANCE</b>	<b>0</b>
<input type="checkbox"/> New Business <input type="checkbox"/> Address Change <input checked="" type="checkbox"/> Ownership Change <input type="checkbox"/> Secondary License <input type="checkbox"/> Sole Owner <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> LLP <input type="checkbox"/> LLC			
BUSINESS OPERATIONS INFORMATION			
START DATE <b>04/01/07</b>	NO. OF EMPLOYEES <b>10</b>	NO. OF VEHICLES	SALES TAX (SEPARATE BUSINESS NUMBER)
Does your business have a Calif State Lic? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N			
<b>FOOD / ALCOHOL / ENTERTAINMENT</b> Do you plan to sell or serve food? (including pre-packaged) <input checked="" type="checkbox"/> Y <input type="checkbox"/> N If selling food, are there more than 10 square feet of food products displayed? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N If serving food, how many seats?: <b>186</b> Do you plan to sell or serve alcoholic beverages? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N If yes, ABC License number: <b>44927D</b> Does your business involve amusement machines, video games and/or pool tables? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N How many: <b>143</b> Type: <b>VIDEO + POOL TABLES</b> Does your business have vending machines? <input type="checkbox"/> Y <input type="checkbox"/> N How many: <b>1</b> Type: <b>SOFT DRINK</b> Will you have: <input checked="" type="checkbox"/> dancing, <input checked="" type="checkbox"/> music (live or amplified)?		<b>SERVICES / FUND RAISING</b> Will you provide a towing service? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Will you offer massage, bodywrap, escort or other similar personal services? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Will you engage in fund raising? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Will you deal in coins, stamps, firearms, jewels, or second-hand property? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <b>HAZARDOUS MATERIALS / MEDICAL WASTE</b> Will you use, store, or transport chemicals (new or waste state)? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N Will you manage or produce biohazardous materials or waste? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N <b>BUILDING AND FACILITY INFORMATION</b> Business sq. ft.: <b>40,000</b> Do you <input type="checkbox"/> own or <input checked="" type="checkbox"/> rent/lease your business property? Does your business require construction and/or remodeling? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
ACKNOWLEDGMENT			
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• SIGN and return this statement with your remittance.		• Make checks payable to City of Long Beach	
Owner or Authorized Agent  SIGNATURE		<b>3/5/08</b> DATE <b>MASAKAZU MISU</b> PRINT NAME/TITLE <b>EVP FINANCE</b>	
DO NOT WRITE BELOW THIS LINE			
Review Path: <input type="checkbox"/> Min <input type="checkbox"/> Mod <input type="checkbox"/> Com		Inspection(s): <input checked="" type="checkbox"/> Bldg <input type="checkbox"/> Fire <input checked="" type="checkbox"/> Hlth <input type="checkbox"/> PD <input type="checkbox"/> Oth Date/time: <b>May 2/17/09</b> Init:	
Basic Tax = \$	Employees # @ \$ =	Prev Use: <b>Bowling Alley</b>	Exp Date: <b>2/17/09</b>
Vehicles # @ \$ =	Other # @ \$ =	Prev Lic:	Exp date:
DPIA, BSPA, BKBA base =	PIA Employees # @ \$ =	District: <b>15</b>	Zone: <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A
Regulatory =	Investigation <b>PJ# 527827</b> =	SIC: <b>7933</b>	By: 
Misc. Fees =	Sub Total <b>05-07-08</b> =	Entered by: <b>AMG</b>	Date: <b>5/17/08</b>
Zoning <b>E-R</b> =	Building Inspection =	Zone: <b>Change of owner only</b>	
Total =	<b>20822060</b>		
NOTE: THIS IS NOT A BUSINESS LICENSE: DO NOT OPERATE UNTIL A VALID LICENSE HAS BEEN ISSUED			
REV 11/99 THIS INFORMATION IS AVAILABLE IN AN ALTERNATIVE FORMAT BY CONTACTING (562) 570-6211			

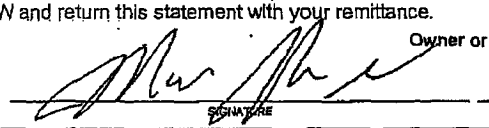
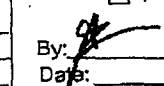




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Paul Hall

GENERAL INFORMATION			
OWNER'S NAME (If corporation, use corporate name. If partnership - principal) <b>SEGA ENTERTAINMENT USA, INC</b>	DRIVER'S LICENSE NUMBER	STATE	SOCIAL SECURITY NUMBER
BUSINESS NAME (D.B.A.) <b>GAMEWORKS</b>	TYPE OF BUSINESS (Be specific) <b>RESTAURANT / ARCADE</b>		HOME OCCUPATION <input type="checkbox"/>
BUSINESS ADDRESS <b>10 AQUARIUM WAY</b>	STREET	CITY <b>LONG BEACH, CA</b>	STATE <b>CA</b>
MAILING ADDRESS (if different)	STREET	CITY	STATE
RESIDENTIAL ADDRESS (if different)	STREET	CITY	STATE
LIST OF PRINCIPAL OFFICERS' OR PARTNERS' NAMES AND ADDRESSES			
<b>BENJAMIN KITAY</b>	TITLE <b>COO / PRESIDENT</b>	PERCENT OWNERSHIP <b>0</b>	
<b>AKITDSHI OGAWA</b>	TITLE <b>EVP OPERATIONS</b>	PERCENT OWNERSHIP <b>0</b>	
<b>MASAKAZU MISU</b>	TITLE <b>EVP FINANCE</b>	PERCENT OWNERSHIP <b>0</b>	
<input type="checkbox"/> New Business <input type="checkbox"/> Address Change <input checked="" type="checkbox"/> Ownership Change <input type="checkbox"/> Secondary License <input type="checkbox"/> Sole Owner <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> LLP <input type="checkbox"/> LLC			
BUSINESS OPERATIONS INFORMATION			
START DATE <b>04/01/07</b>	NO. OF EMPLOYEES <b>12</b>	NO. OF VEHICLES	FEDERAL TAX ID NUMBER
Does your business have a Calif State Lic? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		CLASSIFICATION	SALES TAX (SELLER'S PERMIT) NUMBER
FOOD / ALCOHOL / ENTERTAINMENT		SERVICES / FUND RAISING	
Do you plan to sell or serve food? (including pre-packaged) <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Will you provide a towing service? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Will you offer massage, bodywrap, escort or other similar personal services? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Will you engage in fund raising? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
If selling food, are there more than 10 square feet of food products displayed? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Will you deal in coins, stamps, firearms, jewels, or second-hand property? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	HAZARDOUS MATERIALS / MEDICAL WASTE	
If serving food, how many seats?: <b>120</b>	Will you use, store, or transport chemicals (new or waste state)? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
Do you plan to sell or serve alcoholic beverages? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Will you manage or produce biohazardous materials or waste? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
If yes, ABC License number: <b>449270</b>	BUILDING AND FACILITY INFORMATION		
Does your business involve amusement machines, video games and/or pool tables? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Business sq. ft.: <b>40,000</b>		
How many: <b>143</b> Type: <b>VIDEO + POOL TABLES</b>	Do you <input type="checkbox"/> own or <input checked="" type="checkbox"/> rent/lease your business property?		
Does your business have vending machines? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N	Does your business require construction and/or remodeling? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N		
How many: <b>1</b> Type: <b>SOFT DRINK</b>			
Will you have: <input checked="" type="checkbox"/> dancing, <input checked="" type="checkbox"/> music (live or amplified)?			
ACKNOWLEDGMENT			
I have received a copy of "OPERATING A BUSINESS IN LONG BEACH". I understand that before I can operate my business in Long Beach, my establishment must comply completely or I will be in violation of the L. B. M. C., Section 3.80.421.5. I declare, under penalty of perjury, that I am authorized to complete this application. To the best of my knowledge and belief, the provided information and statements are true and correct.			
• SIGN and return this statement with your remittance.		• Make checks payable to City of Long Beach	
 Owner or Authorized Agent		<b>3/5/08</b> DATE	
		<b>MASAKAZU MISU</b> PRINT NAME/TITLE	
		<b>EVP FINANCE</b> PRINT NAME/TITLE	
DO NOT WRITE BELOW THIS LINE			
Review Path: <input type="checkbox"/> Min <input type="checkbox"/> Mod <input type="checkbox"/> Com	Inspection(s): <input checked="" type="checkbox"/> Bldg <input checked="" type="checkbox"/> Fire <input checked="" type="checkbox"/> Hlth <input checked="" type="checkbox"/> PD <input type="checkbox"/> Oth	Date/Time:	Init:
Basic Tax =	Prev Use: <b>Pool Arcade</b>	Exp Date: <b>1/7/09</b>	
Employees # @ \$ =	Prev Lic: _____		
Vehicles # @ \$ =	Exp date: _____		
Other # @ \$ =	District: <b>05</b>		
DPIA, BSPA, BKBA base =	SIC: <b>7999</b>		
PIA Employees # @ \$ =	Filed by: <b>PH</b>		
Regulatory Investigation <b>527826</b> =	Date: <b>5/1/08</b>		
Misc. Fees =	BU		
Sub Total <b>05-07-08</b> = \$			
Zoning <b>E.R</b> = \$			
Building Inspection			
Total <b>2082080</b>			
Zoning Review <input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A By:  Date: _____ <input type="checkbox"/> New construction <input type="checkbox"/> Reuse Zone: _____ Comments: <b>change of ownership</b>			
NOTE: THIS IS NOT A BUSINESS LICENSE: DO NOT OPERATE UNTIL A VALID LICENSE HAS BEEN ISSUED			
REV 11/99 THIS INFORMATION IS AVAILABLE IN AN ALTERNATIVE FORMAT BY CONTACTING (562) 570-6211			



OFFICE USE ONLY

Accepted By: [Signature] Date: 5/7/08  
 Zoning Approval By: \_\_\_\_\_ Date: \_\_\_\_\_

### APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): SEGA ENTERTAINMENT USA, INC

Business Name (DBA): GAMENWORKS Business Phone: 562 308-7529

Business Site Address: 10 AQUARIUM WAY, LONG BEACH, CA 90802

Date Business Proposes To Open: 4/1/07

Days & Time Premises Are Open For Inspection: \_\_\_\_\_

Proposed Use(s):

Entertainment/Restaurant With Dancing  Without Dancing

Entertainment/Tavern With Dancing  Without Dancing

Social Club  Pool or Billiard Hall  Other (explain)  VIDEO GAMES + BOWLING

Explain briefly the proposed use of the rooms within the building:

10 LANE BOWLING ALLEY - Three pool tables

Contact Person(s) Name (authorized agent, manager, etc.): PAUL SPADA - GENERAL MANAGER

Contact Person(s) Phone Number: (562) 308-7529

Type of Organization:

- Corporation  Partnership  Individual  Unincorporated Association or Club  
 Trust  LLC  Other, explain: \_\_\_\_\_

#### OFFICE USE ONLY

Building  Fire  Health (Check Inspecting Department) Date Received: \_\_\_\_\_

Building/Location meets Department Requirements for the proposed use.

Building/Location meets Department Requirements for the proposed use subject to the following conditions:  
 \_\_\_\_\_  
 \_\_\_\_\_

Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): \_\_\_\_\_ By: \_\_\_\_\_

#### POLICE DEPARTMENT

Police Department finds no for basis for denial  Police Department finds basis for denial

Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: \_\_\_\_\_  
 \_\_\_\_\_

By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

GENERAL INFORMATION (All Applicants)

Principal place of business (if other than the address listed on page 1): \_\_\_\_\_

Fictitious business names(s) or dba(s) used: GAMENWORKS

Place and date of filing fictitious business name statement: TRADEMARK PURCHASED  
LOS ANGELES 5/16/05

County(ies) in which fictitious name statement is (are) filed: \_\_\_\_\_

Names and address of all agents and employees authorized to negotiate or otherwise represent individual in connection with any transaction with the City of Long Beach:

BENJAMIN KITAY [REDACTED]  
MASAKAZU MISU [REDACTED]  
DAVID STELZER [REDACTED]

Name and address of person (agent) authorized to accept service of process in California:

DAVID STELZER

State whether you are licensed by any governmental agency to engage in any business. If so, list each such license held, the city in which held, and expiration date thereof: ALL RELATED TO ONTARIO OPERATION  
CALIF DEPT OF ALCOHOL - 3/31/09 CITY OF ONTARIO  
COUNTY OF SAN BERNARDINO HEALTH PERMIT - 9/30/08 BUSINESS LICENSE 12/31/08

Is this applicant a subsidiary of a present corporation or business?  YES  NO  
If yes, explain: 100% SUBSIDIARY OF SEGA HOLDINGS USA, INC

How long has the corporation or business been in operation? 04/01/2007

Is the location: Owned?  Rented/Leased?

If Rented/Leased, state the name and address of property owners:

Name: DEVELOPERS DIVERSIFIED REALTY CORP  
Address: 3300 ENTERPRISE PARKWAY  
BENCHWOOD, OH 44122

**IF APPLYING AS A CORPORATION**

Check One Box:     For-Profit Corporation                       Non-Profit Corporation

(If a Non-Profit Corporation, please attach copies of both State and federal Tax Exemption Certificates)

Name of Corporation:    SEGA ENTERTAINMENT USA, INC

Corporation Number:    CA NO. 2588813

Date and Place of Incorporation:    DELAWARE 09/14/2004

Location Headquarters:    GLENDALE, CA

Please attach certified copies of *Articles of Incorporation and By-Laws*, and all amendments thereto this application.

Name and Residence Address of Corporation Officers (members of the executive board):

Name	Title	Address	Telephone
<u>MASAKAZU MISU</u>	<u>VP FINANCE</u>	[REDACTED]	[REDACTED]
<u>BENJAMIN KITAY</u>	<u>COO-PRES</u>	[REDACTED]	[REDACTED]
<u>AKITOSHI OGAWA</u>	<u>VP OPERATIONS</u>	[REDACTED]	[REDACTED]
			( )

Numbers of shares issued by Corporation:    1000

Number of share retained by Corporation:    0

Name and addresses of shareholders, if ten (10) or less state also the number and type of shares:

SEGA HOLDINGS USA, INC                      1000 SHS COMMON  
650 TOWNSEND ST., STE 650  
SAN FRANCISCO, CA 94103

Name and address of agent for service of process designated by Corporation with the Secretary of State of California:

DAVID STELZER

IF APPLYING AS A CORPORATION

INFORMATION IS REQUESTED FOR POLICE DEPARTMENT IDENTIFICATION AND INVESTIGATION

CORPORATE OFFICER I

Name: BENJAMIN KITAY Title: COO + PRESIDENT  
Residence Address: [REDACTED] Phone: [REDACTED]  
Business Address: [REDACTED] Phone: [REDACTED]  
Race: CAU Sex: M Hair: BROWN Eyes: BLUE Height: [REDACTED] Weight: [REDACTED]  
Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]  
Driver's License Number: [REDACTED] Issuing State: [REDACTED]

CORPORATE OFFICER II

Name: AKITOSHI OGAWA Title: EVP OPERATIONS  
Residence Address: [REDACTED] Phone: [REDACTED]  
Business Address: [REDACTED] Phone: [REDACTED]  
Race: ASIAN Sex: M Hair: BROWN Eyes: BROWN Height: [REDACTED] Weight: [REDACTED]  
Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]  
Driver's License Number: [REDACTED] Issuing State: [REDACTED]

CORPORATE OFFICER III

Name: MASAKAZU MISU Title: EVP FINANCE  
Residence Address: [REDACTED] Phone: [REDACTED]  
Business Address: [REDACTED] Phone: [REDACTED]  
Race: ASIAN Sex: M Hair: BLACK Eyes: BROWN Height: [REDACTED] Weight: [REDACTED]  
Date of Birth (mm/dd/yyyy): [REDACTED] Place of Birth: [REDACTED]  
Driver's License Number: [REDACTED] Issuing State: [REDACTED]

CORPORATE OFFICER IV

Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Residence Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Business Address: \_\_\_\_\_ Phone: \_\_\_\_\_  
Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Hair: \_\_\_\_\_ Eyes: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_  
Date of Birth (mm/dd/yyyy): \_\_\_\_\_ Place of Birth: \_\_\_\_\_  
Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_

# GENERAL OPERATING CONDITIONS

Complete Each Question

## ALCOHOL/FOOD/ADDITIONAL BUSINESSES

1. Will liquor be sold or consumed on the premises?  YES  NO

a. If Yes, complete the following box:

Check one box to indicate License Type

Alcohol Beverage Control License No.

Premises Type: (Club (restaurant) or Commercial (store))

On sale beer

On sale beer and wine

On sale distilled spirits

449270 (P)

RESTAURANT

2. Is a bonafide-eating place provided on the premises? (Bonafide eating place means a place which is regularly used for serving meals for compensation, which has suitable kitchen facilities containing conveniences for cooking an assortment of foods for ordinary meals other than fast foods, sandwiches or salads. The kitchen must contain proper refrigeration for food and must comply with all applicable regulations of the Health and Human Services Department.

YES  NO

a. If yes, list types of food sold: CALIFORNIA CUISINE

b. If no, list any products (such as snacks sold): \_\_\_\_\_

3. Are non-alcoholic beverages sold?

YES  NO

4. How many tables for seating? 47

5. Are other types of businesses conducted on the premises?

YES  NO

a. If yes, list type(s): \_\_\_\_\_

6. Are pool tables provided?

YES  NO

a. If yes, indicate number: 3

7. Is there a license for the pool table?

YES  NO

a. If yes, license number: APPLIED FOR

8. Are amusement machine(s) and/or jukebox(es) provided?

YES  NO

a. If yes, indicate number and type: 140 VIDEO Amusement Machines 0 Jukebox(es)

9. Is there a license for the amusement machine(s) and/or jukebox(es)?

YES  NO

a. If yes, decal number(s): APPLIED FOR

10. Owner of machine(s) and/or jukebox(es):

Name: SEGA ENTERTAINMENT USA, INC

Address: 400 N BRAND BLVD, STE FL, GLENDALE, CA

Telephone No. (818) 254-4126

**GENERAL OPERATING CONDITIONS (continued)**

Complete Each Question

**SECURITY**

11. Will security officers be provided?  YES  NO

a. If yes, number of security officers: 3

12. Is any other type of security provided?  YES  NO

a. If yes, describe type of security: \_\_\_\_\_

Days and hours security officers or other security will be provided (fill out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Hours of	6 PM	6 PM	6 PM	6 PM	6 PM	4 PM	4 PM
Security	12 AM	12 AM	12 AM	12 AM	2 AM	2 AM	12 AM

13. Will a private security firm be used?  YES  NO

a. If yes, provide the following information of the contracted security firm:

Name: NEW JAXX INDUSTRIES INC City Business License No.: BU2041800  
& FOX SECURITY  
Address: 1930 E CARSON ST # 104 Telephone No.: (310) 297-3605  
LONG BEACH, CA 90810

**ADMISSION and/or MEMBERSHIP FEES CHARGED**

14. Will minors be allowed on the premises?  YES  NO

15. Will the premises be open to the general public?  YES  NO

16. Will an admission fee be charged?  YES  NO

a. If yes, fee schedule: \_\_\_\_\_

17. Is there a private area for exclusive use of members and their guests only?  YES  NO

a. If yes, types of membership fees: \_\_\_\_\_

18. Will guests of members pay an admission fee or other charges?  YES  NO

a. If yes, describe the fee schedule and other charges: \_\_\_\_\_

**GENERAL OPERATING CONDITIONS (continued)**

Complete Each Question

**HOURS OF OPERATION**

Establishment hours of operation by day (fill out completely):

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Open	11 AM	11 AM	11 AM	11 AM	11 AM	11 AM	11 AM
Close	12 AM	12 AM	12 AM	12 AM	2 AM	2 AM	12 AM

**PROXIMITY OF BUSINESSES AND RESIDENCES**

19. Are there surrounding businesses?  YES  NO

a. What type? RETAIL STORES + RESTAURANTS

20. Are there surrounding residences?  YES  NO

a. Approximately how close? \_\_\_\_\_

**PARKING FACILITIES AND ARRANGEMENTS**

21. Is parking available?  YES  NO

a. If no, what is the street address of the off-premises parking facility? \_\_\_\_\_

b. Describe the business arrangement made with owner of the parking facility if not part of business premises. (Please attach a copy of parking contract or deed restriction) N/A

c. Days and hours parking facility will be available:

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
From	24 HR	24 HR	24 HR	24 HR	24 HR	24 HR	24 HR
To	✓	✓	✓	✓	✓	✓	✓

d. How many individual parking spaces (approximately)? 2000

**END OF GENERAL OPERATING CONDITIONS SECTION - PLEASE CONTINUE TO NEXT SECTION**



## ENTERTAINMENT FACILITY AND ACTIVITY

Entertainment - Restaurant  Entertainment - Tavern (bar)  Entertainment - Other

Does the Proposed Activity have:

- Outdoor Entertainment?  Y  N
- Dancing by patrons, guests, customers, participants, attendees?  Y  N
- Dancing by performers?  Y  N
- Live music by more than two (2) performers?  Y  N
- Amplified music (live)?  Y  N
- Amplified music (recorded)?  Y  N
- Disc Jockey?  Y  N
- Karaoke?  Y  N
- Adult Entertainment as defined by LBMC Section 21.16.110?  Y  N
- Adult Entertainment as defined by LBMC Section 5.72.115 (B)?  Y  N
- Will the establishment serve as a family pool/billiard hall as provided in Section 5.69.090 of the LBMC?  Y  N
- Any other type of entertainment not listed above?  Y  N

If yes, briefly describe the entertainment activity.

3 Pool tables, Bowling Alley, video games

Describe entertainment by performers:

Dance Floor?  Y  N

Stage?  Y  N

If yes, provide dimensions and type of material of dance floor, L \_\_\_\_\_ X W \_\_\_\_\_ = \_\_\_\_\_ sq ft.

If yes, provide dimensions and type of material of stage, L \_\_\_\_\_ W \_\_\_\_\_ H \_\_\_\_\_

Describe floor material and surface type: \_\_\_\_\_

Schedule of entertainment. Please provide days of the week and time of day. If entertainment is not provided the same days and times every week, please provide a detailed schedule of specific dates and times of entertainment. Attach an additional sheet if necessary: (Fill Out Completely)

Day	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Entertainment Type	D - J - DDD		KARAOKE	(SAME AS ABOVE)			
	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Start Time	11AM	11AM	11AM	11AM	11AM	11AM	11AM
End Time	12AM	12AM	12AM	12AM	2AM	2AM	12AM

RELEASE FORM

The undersigned, on behalf of (owner('s)) SEGA ENTERTAINMENT USA, INC hereby authorizes the City of Long Beach, by and through its appropriate officers, agents and employees to verify and confirm the information contained in this application, and to conduct such other investigations as may be reasonably required by the City of Long Beach, its officers, agents and employees for the purpose of determining the capability, fitness and capacity of:

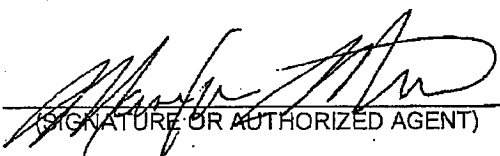


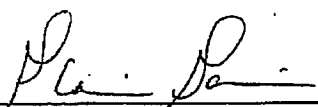
(DBA) GAMEWORKS

to obtain the (entertainment type) ENTERTAINMENT WITHOUT DANCING permit/license.

The applicant by signing this application consents service of any notice required or provided for by the laws, rules, regulations, or ordinances of the City of Long Beach upon the person at the address designated in this application as the business address, will constitute sufficient and legal notice. Any change in the person or the address listed in the application may be made only in writing to the Director of Financial Management.

The applicant consents and agrees full compliance will be made with all applicable State laws and City ordinances governing the conduct of the particular type of business activity for which a business license or permit is requested. The applicant by signing this application understands any incomplete or false information may constitute grounds for denial.

I swear under penalty of perjury I have read the forgoing application and all information and statements made by the undersigned/applicant regarding this applicant are true and correct.

 _____ (SIGNATURE OR AUTHORIZED AGENT)	<u>EVP FINANCE</u> _____ (TITLE)	<u>3/5/00</u> _____ (DATE)
 _____ DRIVER'S LICENSE OR ID CARD NUMBER	 _____ STATE	
 _____ ACCEPTED BY (CITY STAFF)	<u>CSRII</u> _____ TITLE	<u>5/7/00</u> _____ DATE



**California Department of Alcoholic  
Beverage Control**  
*License Query System Summary  
as of 2/13/2008*

<b>License Information</b>	
<b>License Number:</b> 449270	<b>Status:</b> ACTIVE
<b>Primary Owner:</b> DDRC PIKE ENTERTAINMENT LLC	
<b>ABC Office of Application:</b> LB/LAKEWOOD	
<b>Business Name</b>	
<b>Doing Business As:</b> GAMEWORKS	
<b>Business Address</b>	
<b>Address:</b> 10 AQUARIUM WAY <b>Census Tract:</b> 5760.	
<b>City:</b> LONG BEACH <b>County:</b> LOS ANGELES	
<b>State:</b> CA <b>Zip Code:</b> 90802-8138	
<b>Licensee Information</b>	
<b>Licensee:</b> DDRC PIKE ENTERTAINMENT LLC	
<b>Company Officer Information</b>	
<b>Officer:</b> DDR LONG BEACH LLC, MANAGING MEMBER	
<b>Licensee:</b> SEGA ENTERTAINMENT U S A INC	
<b>Company Officer Information</b>	
<b>Officer:</b> NAKAGAWA MASAHIRO, CHIEF EXECUTIVE OFFICER	
<b>Officer:</b> MORI KEIJI, CHIEF EXECUTIVE OFFICER	
<b>Officer:</b> TABATA TOSHIYA, DIRECTOR/GENERAL MANAGER	
<b>Officer:</b> OGAWA AKITOSHI, DIRECTOR/GENERAL MANAGER	
<b>Officer:</b> TAZOE YASUO, PRESIDENT	
<b>Officer:</b> KITAY BENJAMIN DALE, PRESIDENT	
<b>Officer:</b> SATOMI HARUKI, SECRETARY/ASST SEC	
<b>Officer:</b> NAKAGAWA MASAHIRO, SECRETARY TREASURER	
<b>Officer:</b> OGAWA AKITOSHI, VICE PRESIDENT	
<b>Officer:</b> MIZU MASAKAZU, VICE PRESIDENT/TREASURER	
<b>License Types</b>	
<b>1) License Type:</b> 47 - ON-SALE GENERAL EATING PLACE	
<b>License Type Status:</b> ACTIVE	
<b>Status Date:</b> 04-JAN-2008	<b>Term:</b> Month(s)
<b>Original Issue Date:</b> 04-JAN-2008	<b>Expiration Date:</b> 31-DEC-2008
<b>Master:</b> Y	<b>Duplicate:</b> 2 <b>Fee Code:</b> P40
<b>Condition:</b> OPERATING RESTRICTIONS	
<b>License Type was Transferred On:</b> <b>From:</b> 406629	

2) License Type: 68 - PORTABLE BAR	
License Type Status: ACTIVE	
Status Date: 04-JAN-2008	Term: Month(s)
Original Issue Date: 04-JAN-2008	Expiration Date: 31-DEC-2008
Master: N	Duplicate: 1      Fee Code: P40
Condition: OPERATING RESTRICTIONS	
3) License Type: 30 - TEMPORARY PERMIT	
License Type Status: ISSUE	
Status Date: 05-JAN-2007	Term: Month(s)
Original Issue Date:	Expiration Date:
Master: Y	Duplicate: 1      Fee Code: NA
4) License Type: 30 - TEMPORARY PERMIT	
License Type Status: ISSUE	
Status Date: 09-MAY-2007	Term: Month(s)
Original Issue Date:	Expiration Date:
Master: Y	Duplicate: 1      Fee Code: NA
5) License Type: 30 - TEMPORARY PERMIT	
License Type Status: ISSUE	
Status Date: 13-SEP-2007	Term: Month(s)
Original Issue Date:	Expiration Date:
Master: Y	Duplicate: 1      Fee Code: NA
Current Disciplinary Action	
... No Active Disciplinary Action found ...	
Disciplinary History	
... No Disciplinary History found ...	
Hold Information	
... No Active Holds found ...	
Escrow	
... No Escrow found ...	

--- End of Report ---

For a definition of codes, view our [glossary](#).

CALIFORNIA STATE BOARD OF EQUALIZATION

SELLER'S PERMIT



ACCOUNT NUMBER

4/1/2007

GAMEWORKS  
SEGA ENTERTAINMENT U.S.A., INC.  
10 AQUARIUM WAY  
LONG BEACH, CA 90802-8138

**NOTICE TO PERMITTEE:**  
You are required to obey all Federal and State laws that regulate or control your business. This permit does not allow you to do otherwise.

IS HEREBY AUTHORIZED PURSUANT TO SALES AND USE TAX LAW TO ENGAGE IN THE BUSINESS OF SELLING TANGIBLE PERSONAL PROPERTY AT THE ABOVE LOCATION. THIS PERMIT IS VALID ONLY AT THE ABOVE ADDRESS.

THIS PERMIT IS VALID UNTIL REVOKED OR CANCELED AND IS NOT TRANSFERABLE. IF YOU SELL YOUR BUSINESS OR DROP OUT OF A PARTNERSHIP, NOTIFY US OR YOU COULD BE RESPONSIBLE FOR SALES AND USE TAXES OWED BY THE NEW OPERATOR OF THE BUSINESS.

*Not valid at any other address.*

For general tax questions, please call our Information Center at 800-400-7115.

For information on your rights, contact the Taxpayers' Rights Advocate Office at 888-324-2798 or 916-324-2798.

BOE-442-R REV. 15 (2-06)

**A MESSAGE TO OUR NEW PERMIT HOLDER**

As a seller, you have rights and responsibilities under the Sales and Use Tax Law. In order to assist you in your endeavor and to better understand the law, we offer the following sources of help:

- Visiting our website at [www.boe.ca.gov](http://www.boe.ca.gov)
- Visiting a district office
- Attending a Basic Sales and Use Tax Law class offered at one of our district offices
- Sending your questions in writing to any one of our offices
- Calling our toll-free Information Center at 800-400-7115

As a seller, you have the right to issue resale certificates for merchandise that you intend to resell. Conversely, you have the responsibility of not misusing resale certificates. While the sales tax is imposed upon the retailer,

- You have the right to seek reimbursement of the tax from your customer
- You are responsible for filing and paying your sales and use tax returns timely
- You have the right to be treated in a fair and equitable manner by the employees of the Board
- You are responsible for following the regulations set forth by the Board

As a seller, you are expected to maintain the normal books and records of a prudent businessperson. You are required to maintain these books and records for no less than four years, and make them available for inspection by a Board representative when requested. You are also expected to notify us if you are buying, selling, adding a location, or discontinuing your business, adding or dropping a partner, officer, or member, or when you are moving any or all of your business locations. If it becomes necessary to surrender this permit, you should only do so by mailing it to a Board office, or giving it to a Board representative.

If you would like to know more about your rights as a taxpayer, or if you are unable to resolve an issue with the Board, please contact the Taxpayers' Rights Advocate Office for help by calling toll-free, 888-324-2798 or 916-324-2798. Their fax number is 916-323-3319.

Please post this permit at the address for which it was issued and at a location visible to your customers.

STATE BOARD OF EQUALIZATION  
Sales and Use Tax Department

State of California  
Secretary of State

2588813

**CERTIFICATE OF QUALIFICATION**

I, CATHY MITCHELL, Acting Secretary of State of the State of California, hereby certify:

That on the 8TH day of MARCH, 2005, SEGA ENTERTAINMENT U.S.A., INC., a corporation organized and existing under the laws of DELAWARE, complied with the requirements of California law in effect on that date for the purpose of qualifying to transact intrastate business in the State of California, and that as of said date said corporation became and now is qualified and authorized to transact intrastate business in the State of California, subject however, to any licensing requirements otherwise imposed by the laws of this State.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of March 17, 2005.



*Cathy Mitchell*  
CATHY MITCHELL  
Acting Secretary of State



OFFICE USE ONLY

Accepted By: [Signature] Date: 6/7/08

Zoning Approval By: \_\_\_\_\_ Date: \_\_\_\_\_

### APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): SEGA ENTERTAINMENT USA, INC

Business Name (DBA): GAMEWORKS Business Phone: (562) 308-7529

Business Site Address: 10 AQUARIUM WAY, LONG BEACH, CA 90802

Date Business Proposes To Open: 4/1/07

Days & Time Premises Are Open For Inspection: \_\_\_\_\_

#### Proposed Use(s):

Entertainment/Restaurant With Dancing  Without Dancing

Entertainment/Tavern With Dancing  Without Dancing

Social Club  Pool or Billiard Hall  Other (explain)  VIDEO GAMES + BOWLING

Explain briefly the proposed use of the rooms within the building:

10 LANE BOWLING ALLEY

Contact Person(s) Name (authorized agent, manager, etc.): PAUL SPADA (GENERAL MANAGER)

Contact Person(s) Phone Number: (562) 308-7529

#### Type of Organization:

Corporation  Partnership  Individual  Unincorporated Association or Club

Trust  LLC  Other, explain: \_\_\_\_\_

#### OFFICE USE ONLY

Building  Fire  Health (Check Inspecting Department) Date Received: \_\_\_\_\_

Building/Location meets Department Requirements for the proposed use.

Building/Location meets Department Requirements for the proposed use subject to the following conditions:

Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): \_\_\_\_\_ By: \_\_\_\_\_

#### POLICE DEPARTMENT

Police Department finds no for basis for denial  Police Department finds basis for denial

Police Department finds no for basis for denial with conditions

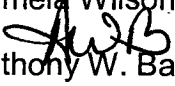
Conditions or Basis for Denial: \_\_\_\_\_

By: [Signature] Title: COP Date: 6/26/08



**Date:** July 3, 2008

**To:** Pamela Wilson-Horgan, Manager, Commercial Services Bureau

**From:**   
Anthony W. Batts, Chief of Police

**Subject:** **APPLICATION FOR ENTERTAINMENT WITHOUT DANCING, BOWLING ALLEY,  
AND POOL HALL AT GAMEWORKS – 10 AQUARIUM WAY**

In response to your request for a recommendation regarding the above named permit application for Entertainment without Dancing, Bowling Alley, and Pool Hall, the Police Department recommends **approval**, subject to the following seventeen (17) standard conditions of the Downtown Dining and Entertainment District.

ameworks is an entertainment facility with approximately 140 video game units, a 10-lane bowling alley, three pool tables, two bars, and a restaurant located within the Downtown Pike area. The business has been in operation since 2003 and recently had an ownership change. Since new management assumed responsibility for the business, there have been minimal incidents at the location. The General Manager also indicated entertainment would only be available during private parties and events. He stated that entertainment would not be offered to the general public.

#### **CONDITIONS OF OPERATION**

- 1) Indoor entertainment and outdoor non-amplified entertainment that otherwise conforms with the requirements of state and local laws and regulations may be offered pursuant to permit until 2 a.m., seven days a week.

Outdoor amplified entertainment is prohibited during the period of the pilot program, except for rooftop entertainment that was permitted at the time of the creation of this pilot program, or except in conjunction with a special events permit.

- 2) Each holder of an existing entertainment permit within the entertainment district and each new applicant for a downtown area entertainment permit, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, attend a permit orientation session conducted by or at the direction of the City. Each new applicant for a downtown area entertainment permit, including an applicant who acquires an existing business through a change of ownership, shall, within ninety (90) days of application, submit proof of attending the LEAD program offered by the Department of Alcoholic Beverage Control.



APPLICATION FOR ENTERTAINMENT WITHOUT DANCING, BOWLING  
ALLEY, AND POOL HALL AT GAMEWORKS  
10 AQUARIUM WAY  
Page 2

- 3) The permittee shall comply with all applicable laws, regulations, ordinances and stated conditions. It is the intent of the City that each permittee make his or her own business decisions as to how to implement compliance; however, if the permittee fails to comply with the conditions of this permit, or if his or her operations result in excessive police service as defined below, the permittee will be required to operate under the more restrictive conditions described in Attachment "B" and made a permanent part of this permit without further hearing.
- 4) The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters. Each permittee and promoter conducting business within the City of Long Beach must have or obtain a City of Long Beach Business License prior to conducting entertainment activities governed by this permit. The permittee shall provide all promoters and agents hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation
- 5) The operation of the establishment shall be limited to those activities expressly indicated on the entertainment permit application and approved by the City Council. Any change in the operation that exceeds the conditions of the approved permit will require approval by City Council.
- 6) The permittee shall comply with the requirements of LBMC Sec. 8.80 (Noise) at all times. In addition, in response to a complaint, the Police Department will enforce Penal Code Section 415 (disturbing the peace) and all other state and local provisions related to the "public peace." Permittee shall conduct all aspects of his or her operation, including before and after hours deliveries and maintenance, in consideration of residences located nearby. Permittee agrees that the following standard is reasonable: Noise emanating from Permittee's premises shall not be audible from the middle of the street adjoining the premises.
- 7) No adult entertainment, as defined by section 5.72.115(B) LBMC shall be conducted on the permitted premises. The permittee shall not allow, permit, procure, or encourage, anyone to expose male or female genitals, cleft of the buttocks, the areola or any portion of the female breast below the areola, while at or inside the business.
- 8) Current occupancy loads shall be posted at all times, and the permittee shall have an effective system to keep count of the number of occupants present at any given time and provide that information to public safety personnel upon request. (LBMC section 18.48.320)

APPLICATION FOR ENTERTAINMENT WITHOUT DANCING, BOWLING  
ALLEY, AND POOL HALL AT GAMEWORKS  
10 AQUARIUM WAY  
Page 3

- 9) Should the permittee's operations give rise to a substantial increase in complaint/calls for police service, the permittee shall increase security staff, implement the use of electronic metal detection equipment, increase outside lighting, or make other changes to the premises or operation as the Chief of Police determines are necessary to protect the safety of the public. In the event of a conflict on this issue between the requirements of this permit and any permit issued by the Alcoholic Beverage Commission, the more stringent regulation shall control.
  
- 10) The permittee shall be responsible for maintaining an adequate security staff to supervise patrons and those waiting to enter. Potential patrons awaiting entry in a defined "queue" shall be counted toward the calculation of required security staffing levels. For up to fifty (50) people inside (or in a defined queue waiting to enter) an establishment, the permittee shall provide a minimum of one (1) uniformed licensed security guard per floor. There shall be one additional guard for each subsequent increment or each partial increment of 50, plus one guard per each additional floor. (Example: a one-story establishment with 75 patrons present must have two guards. A two-story establishment with 75 patrons present must have three guards.) Potential patrons awaiting entry in a defined "queue" shall be counted toward the calculation of required security staffing levels. The Chief of Police may relax these staffing levels during daylight hours, or during hours in which the primary activity in the establishment is dining, if he determines that a lower level of security staffing is consistent with the protection of public health and safety.

The attire of each security guard shall clearly indicate the guard's affiliation with the establishment by means of a pin, shirt, or other clearly-visible form of identification.

- 11) If an establishment is licensed as a restaurant, all entertainment activities shall be conducted in conjunction with regular dining or pre-planned banquet activities. A banquet is defined as a private function held at a bona fide eating-place wherein complete and substantial meals are provided to the persons in attendance by the management of the restaurant where the function is being held. Fast food, snacks and hors d'oeuvres shall not constitute a complete and substantial meal. Taverns are not subject to this requirement.
  
- 12) Persons under eighteen (18) years of age shall not be permitted to enter nor permitted to remain on the premises after 10 p.m., unless accompanied by a parent or legal guardian.

APPLICATION FOR ENTERTAINMENT WITHOUT DANCING, BOWLING  
ALLEY, AND POOL HALL AT GAMEWORKS  
10 AQUARIUM WAY  
Page 4

- 13) The permittee shall establish a program to discourage loitering and littering outside any of the entrance/exit doors at all times open for business. This should be done by use of security guards and/or signs near all exits that encourage patrons to "respect our neighbors" and the provision of trash receptacles.
- 14) At the conclusion of each event and at closing time, the permittee's staff shall remind patrons to refrain from loitering in the immediate area, littering or making excessive noise. Patrons should be reminded to use trash receptacles and to walk directly and quietly to their cars or other transportation.
- 15) The permittee shall not distribute, post or attach, and shall be responsible for ensuring that its promoters and or agents do not distribute, post or attach, advertising matter on public property or on any vehicle on public property.
- 16) Any graffiti painted or marked upon the premises or on any adjacent area under the control of the permittee shall be removed or painted over within 24 hours after being applied.
- 17) When the Chief of Police determines that excessive police services are required as the result of any incident or nuisance arising out of or in connection with the permittee's operations, the cost of such services shall be billed to the permittee as an expense of an emergency response. "Expense of an emergency response" means those costs incurred by the City of Long Beach in making any appropriate emergency response to the incident, and shall be comprised of all costs directly arising because of the response to the particular incident, including, but not limited to, the costs of providing police, firefighting, rescue, and emergency medical services at the scene of the incident, as well as the salaries of the personnel responding to the incident."

AWB:CNA:cna  
AppvlCondGameworks

Attachment

## Attachment "B"

### Tiered Conditions

**This page contains progressively more stringent regulations on entertainment and related activities in the Dining and Entertainment District. By applying for a permit, the applicant agrees to the conditions contained here and understands that he or she is not entitled to a public hearing if these conditions are applied. The City Council may add further conditions not listed here, or revoke the permit, if the permittee does not comply with the conditions imposed in this permit.**

**The conditions on this attachment do not modify or limit in any way the authority of the Chief of Police to enforce Penal Code Section 415 (disturbing the peace) against any person, or of the Chief of Police or the Fire Marshal to immediately take action in the event of an imminent threat to public health or safety.**

#### Tier 1 Conditions:

Permittee may have entertainment on the premises during the maximum hours permitted in the district, consistent with ABC requirements and conditions imposed under a Conditional Use Permit. As long as the primary requirements for safety and noise are met (Conditions 1-17), Permittee may choose the methods of meeting those requirements.

Noncompliance with Tier 1 conditions: when the Chief of Police determines that Permittee has violated the terms of the permit, including the Permittee's obligation to comply with all other laws and regulations, but believes those violations can be remedied through education and/or minor modifications to Permittee's operation, Permittee will be asked to attend a meeting with the involved departments, pilot program area residents and businesses, and other interested persons to address community concerns and discuss how the implementation of Tier 2 Conditions can be avoided.

#### Tier 2 Conditions:

##### Noise:

Following the receipt of 3 or more noise complaints that require a response by the Police Department within a 30-day period and which are found to violate the "middle of the street" standard for noise, Permittee will be notified that his or her premises must comply with those Tier 2 Noise Conditions which the Chief of Police determines are necessary to protect the public peace and to comply with the City's noise ordinance, from among the following list:

---Permittee must keep all doors and windows closed except while patrons are entering or exiting.

---Meet with Health Department staff to discuss best practices to be implemented to mitigate noise.

- No outdoor entertainment of any kind will be permitted after 10 p.m.
- No queue after midnight. Any persons gathering outside the establishment shall be considered to be loitering.

#### Security/Public Safety:

For the purposes of this section, an "incident" means a complaint or occurrence that requires a police or Fire Marshal response to Permittee's premises due to Permittee's noncompliance with the terms and conditions of the Entertainment Permit. Following 3 or more incidents within a 30-day period, the Chief of Police or Fire Marshal will notify Permittee of additional measures and conditions to be implemented. These additional measures will be some or all of the following:

- Additional security personnel at hours determined necessary by the Chief of Police to prevent Permittee's operations from creating a public nuisance.
- Additional security checks on incoming patrons.
- No queue after midnight. Any persons gathering outside the establishment shall be considered to be loitering.
- Any additional measures deemed necessary by the Chief of Police or the Fire Marshal to protect health and safety.

NOTE: upon the request of a permittee who has been required to implement Tier 2 conditions, the Chief of Police, in consultation with the Fire Marshal and the Health Department, shall review the permittee's recent compliance history and determine whether some or all conditions can be returned to Tier 1 levels consistent with the protection of public health and safety.

#### Tier 3 Conditions:

The failure of a permittee to resolve noise and/or security/public safety issues as directed by the Chief of Police or the Fire Marshal within a reasonable period, not to exceed 30 days in any case, shall result in the implementation of Tier 3 conditions:

#### Noise:

- No outdoor entertainment of any kind will be permitted at any time.
- Only non-amplified entertainment will be permitted at any time OR amplified entertainment will only be permitted until 10 p.m. any night.
- Contain all noise within the premises. No noise audible outside the establishment.
- Implement Health Department recommendations to mitigate noise. Provide pre- and post-implementation monitoring data collected by a certified noise expert approved by the Health Department.

#### Security/Public Safety:

- The establishment must cease entertainment not later than 10 p.m. on Sunday through Wednesday nights and no later than midnight on Thursday through Saturday nights. The Chief of Police is authorized to make adjustments of up to one hour in these times to protect the public peace.

---Permittee shall limit the queue outside the establishment to no more than 20 people. There shall be no queue within 2 hours of the lawful closing time. Any persons gathering outside the establishment shall be considered to be loitering.

---Any additional measures determined necessary by the Chief of Police or the Fire Marshal to protect health and safety.

If the City determines that Permittee has not modified his or her operations in compliance with Tier 3 conditions and Permittee continues to fail to comply with the terms and conditions of the Entertainment Permit, the City shall begin revocation or suspension proceedings. Permittee is entitled to a hearing to contest such revocation or suspension.



OFFICE USE ONLY

Accepted By: [Signature] Date: 5/7/08

Zoning Approval By: \_\_\_\_\_ Date: \_\_\_\_\_

**APPLICATION FOR ENTERTAINMENT PERMIT**

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): SEGA ENTERTAINMENT USA, INC

Business Name (DBA): GAMEWORKS Business Phone: 562 308-7529

Business Site Address: 10 AQUARIUM WAY, LONG BEACH, CA 90802

Date Business Proposes To Open: 4/1/07

Days & Time Premises Are Open For Inspection: \_\_\_\_\_

**Proposed Use(s):**

Entertainment/Restaurant With Dancing  Without Dancing

Entertainment/Tavern With Dancing  Without Dancing

Social Club  Pool or Billiard Hall  Other (explain)  VIDEO GAMES + BOWLING

Explain briefly the proposed use of the rooms within the building:

10 LANE BOWLING ALLEY

Contact Person(s) Name (authorized agent, manager, etc.): PAUL SPADA (GENERAL MANAGER)

Contact Person(s) Phone Number: (562) 308-7529

**Type of Organization:**

Corporation  Partnership  Individual  Unincorporated Association or Club

Trust  LLC  Other, explain: \_\_\_\_\_

**OFFICE USE ONLY**

Building  Fire  Health (Check Inspecting Department) Date Received: \_\_\_\_\_

Building/Location meets Department Requirements for the proposed use.

Building/Location meets Department Requirements for the proposed use subject to the following conditions:

Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): 6/4/08 By: PARKER C. 70741

**POLICE DEPARTMENT**

Police Department finds no for basis for denial  Police Department finds basis for denial

Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: \_\_\_\_\_

By: [Signature] Title: FIRE INSPECTOR Date: 6/4/08



OFFICE USE ONLY

Accepted By: [Signature] Date: 5/7/08  
 Zoning Approval By: \_\_\_\_\_ Date: \_\_\_\_\_

### APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): SEGA ENTERTAINMENT USA, INC  
 Business Name (DBA): GAMEWORKS Business Phone: <sup>562</sup> 308-7529  
 Business Site Address: 10 AQUARIUM WAY, LONG BEACH, CA 90802  
 Date Business Proposes To Open: 4/1/07  
 Days & Time Premises Are Open For Inspection: \_\_\_\_\_

**Proposed Use(s):**

Entertainment/Restaurant With Dancing  Without Dancing   
 Entertainment/Tavern With Dancing  Without Dancing   
 Social Club  Pool or Billiard Hall  Other (explain)  VIDEO GAMES + BOWLING

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Contact Person(s) Phone Number: (562) 308-7529

**Type of Organization:**

Corporation  Partnership  Individual  Unincorporated Association or Club  
 Trust  LLC  Other, explain: \_\_\_\_\_

**OFFICE USE ONLY**

Building  Fire  Health (Check Inspecting Department) Date Received: 5/13/08  
 Building/Location meets Department Requirements for the proposed use.  
 Building/Location meets Department Requirements for the proposed use subject to the following conditions:  
THIS ESTABLISHMENT MUST REMAIN IN COMPLIANCE WITH ALL APPLICABLE SECTIONS OF THE LONG BEACH CITY NOISE ORDINANCE (LBMC, CHAPTER 8.80)  
 Building/Location does not meet Department requirements for the proposed use.  
 Inspection Completed On (date): \_\_\_\_\_ By: \_\_\_\_\_

**POLICE DEPARTMENT**

Police Department finds no for basis for denial  Police Department finds basis for denial  
 Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: \_\_\_\_\_

By: [Signature] DIANA SWANN Title: HAZARDOUS MATERIALS SPECIALIST Date: 5/15/08





OFFICE USE ONLY

Accepted By: [Signature] Date: 5/7/08  
 Zoning Approval By: \_\_\_\_\_ Date: \_\_\_\_\_

### APPLICATION FOR ENTERTAINMENT PERMIT

(Please Print All Information - Incomplete Applications Will Not Be Accepted)

Applicant's Name (Legal Ownership Structure): SEGA ENTERTAINMENT USA, INC  
 Business Name (DBA): GAMEWORKS Business Phone: 562 308-7529  
 Business Site Address: 10 AQUARIUM WAY, LONG BEACH, CA 90802  
 Date Business Proposes To Open: 4/1/07  
 Days & Time Premises Are Open For Inspection: \_\_\_\_\_

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Entertainment/Restaurant With Dancing  Without Dancing   
 Entertainment/Tavern With Dancing  Without Dancing   
 Social Club  Pool or Billiard Hall  Other (explain)  VIDEO GAMES + BOWLING

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#### Type of Organization:

Corporation  Partnership  Individual  Unincorporated Association or Club  
 Trust  LLC  Other, explain: \_\_\_\_\_

#### OFFICE USE ONLY

Building  Fire  Health (Check Inspecting Department) Date Received: \_\_\_\_\_

Building/Location meets Department Requirements for the proposed use.

Building/Location meets Department Requirements for the proposed use subject to the following conditions:

PJ# 527828 (05-07-08) E.R.

Building/Location does not meet Department requirements for the proposed use.

Inspection Completed On (date): \_\_\_\_\_ By: \_\_\_\_\_

#### POLICE DEPARTMENT

Police Department finds no for basis for denial  Police Department finds basis for denial  
 Police Department finds no for basis for denial with conditions

Conditions or Basis for Denial: \_\_\_\_\_

By: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_



**Date:** May 15, 2008  
**To:** Richard I. Bartlett, Business Services Officer, Commercial Services Bureau  
**From:** Derek Burnham, Acting Zoning Officer *DB*  
**Subject:** REVIEW OF ENTERTAINMENT LICENSE REQUEST

**Site Address:** 10 Aquarium Way  
Long Beach, CA 90802

**Applicant:** Sega Entertainment USA Inc., DBA Gameworks

**Zoning District:** PD-6 (Downtown Shoreline Planned Development District)

**Proposed Use:** Entertainment without Dancing

The Community Design and Development Division of Long Beach Development Services has the following comments:

A review of the permit history for 10 Aquarium Way, indicates there have been no CUPs or AUPs approved for the subject property.

The subject property is located within Planned Development District 6, Downtown Shoreline. Within PD-6, entertainment without dancing is a permitted use.

The subject site has previously been approved for an entertainment permit with dancing in 2003. As a result of an ownership change, the new owners are now seeking to obtain a permit for entertainment without dancing. As the applicants are not applying for entertainment with dancing, no extra parking is required.

Planning Bureau recommends that the entertainment permit without dancing for "Gameworks" be approved.

If you have any questions regarding this response, please call Angie Zetterquist, Planner, at (562) 570-6553.