



## MEMORANDUM

TO: Robert Klein, Chair and  
Members of the Board

DATE: November 23<sup>rd</sup>, 2016

FROM: Sarah D. Oates  
Program Coordinator, ABC Board

RE: The Forks Reborn #410

This is a third application for a waiver of operations for beverage dispensary license #410 in the Mat-Su Borough. The licensee is also requesting that the board waive the waiver fees, per 3 AAC 304.170(i).

Questions for the board are:

1. whether to approve the third application for a waiver of operations; and
2. whether to approve the application with conditions; and
3. whether the licensee has demonstrated that there was destruction of the premises or comparable circumstances showing extraordinary hardship. If so, determine whether or not the board wishes to waive the waiver fees, as permitted by 3 AAC 304.170(i).

Waiver of Operation  
 Application

<b>License Information</b>		<b>Fees*</b> 14127	
Liquor License Number: 410	License Type: Beverage Dispensing	Waiver Fee	\$5000.00
Local Governing Body: (City, Borough or Unorganized) Matsa Borough	Name of Licensee: THE FORKS Reborn	Penalty (If applicable)	\$1,000.00
Doing Business As (Business Name) FORKS ROADHOUSE	Mailing Address: P.O. Box 244064 ANCHORAGE AK 99524	Total Submitted	\$ 5000.00
Street Address or Location of Business Mile 19 Petrosville Rd. City: Trooper Creek Alaska	Telephone Number: 907-632-4238	*The fee is non-refundable	

**Waiver Request Information**

This waiver application is the:  1<sup>st</sup> Request  2<sup>nd</sup> Request  3<sup>rd</sup> Request  Other

Waiver Request for Calendar Year: 2016

Is this license for sale?  Yes  No

Explanation of the circumstances for non-operation of license. Include relevant information as to why the license was not operated, any future plans for operating the license and projected timelines. Attach additional sheets if necessary.

The original Forks Roadhouse burned down and operations were halted due to no-premise. Current owners started the process of acquiring the rights to the liquor license and property shortly thereafter. Due to the complicated nature of the situation with the previous owners which involved lawyers and foreclosure on the property, a significant amount of time was spent moving thru legal process to secure the current liquor license and property rights so that permitting and rebuild of a structure (premise) could begin. Current owners build plans were approved and construction began mid 2016. Due to the length of time that passed the grandfather rights and conditional use permit from the Matsa expired causing additional delays as additional code requirements are now necessary for the conditional use permit approval from the Matsa Borough.

The current status is that the new structure is near completion and we have engaged additional engineers to work with the Matsa to close out the additional items for the conditional use permit. We expect to have approval of a Matsa conditional use permit early spring 2017 and expect to open shortly thereafter. Because of these extenuating circumstances we request approval of this waiver and additionally request a waiver of the operating waiver fee.

**Signature of Licensee(s)**

Signature 	Signature
Name (Please Print) Daniel Kerschbaum	Name (Please Print)
Date 11/2/16	Date NOV 2 '16 PM 2:57