



MEMORANDUM

TO: Robert Klein, Chair, and
Members of the Board

DATE: July 11, 2017

FROM: Erika McConnell
Director, ABC Board

RE: Quake! #5458 Restaurant or
Eating Place and #5459
Brewpub

At the February 1, 2017, meeting, the Board rescinded the approval and delegation of these licenses and denied the licenses. Mr. Kimp, at a meeting with me on April 26, requested that the record be corrected to reflect more information regarding the reasons why his licenses were denied.

Recommendation: Correct the record by adopting the attached revised board memo.

Attachments: Revised Board Memo
February 1, 2017, Board Packet



MEMORANDUM

TO: Robert Klein, Chair and
Members of the ABC Board

DATE: February 1, 2017 [July 11, 2017]

FROM: Erika McConnell
Director, ABC Board

RE: Quake! Brewing Company
#5458, #5459

Approved with delegation at July 20, 2016 meeting, issued temp Sept 19 in order for the applicant to meet requirements of a bona fide restaurant. Recent correspondence from the applicant reveals that the applicant's landlord refused to meet conditions imposed by the Municipality of Anchorage and evicted the applicant, who thus no longer has right, title, or interest to the proposed location and, therefore, no longer meets the requirements set forth in AS 04.11.260 and 3 AAC 304.105.

Recommendation: Rescind the delegation to the director and deny the applications.

(NOTE: This memo reflects a correction to the record adopted by the Board on July 11, 2017.)



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Commerce, Community,
and Economic Development**

ALCOHOL AND MARIJUANA CONTROL OFFICE

550 West 7th Ave, Suite 1600
Anchorage, AK 99501
Main: 907.269.0350

MEMORANDUM

TO: Robert Klein, Chair and
Members of the ABC Board

DATE: January 22, 2017

FROM: Sara Chambers
Acting Director, ABC Board

RE: Quake! Brewing Company
#5458, #5459

Approved with delegation at July 20, 2016 meeting, issued temp Sept 19 in order for the applicant to meet requirements of a bona fide restaurant. Recent correspondence from the applicant reveals that applicant no longer has right, title, or interest to the proposed location and, therefore, no longer meets the requirements set forth in AS 04.11.260 and 3 AAC 304.105.

Recommendation: Rescind the delegation to the director and deny the applications.

From: [Danyelle D. Kimp](#)
To: [Hoelscher, James C \(CED\)](#)
Cc: [CED AMCO Enforcement \(CED sponsored\)](#); [Oates, Sarah D \(CED\)](#); [Chambers, Sara C \(CED\)](#)
Subject: RE: QUAKE! Licensing and Permitting Issue
Date: Wednesday, January 25, 2017 4:00:31 PM

Hello James,

I can stop by your headquarters tomorrow, and deliver the items.

Is that ok?

Respectfully,

Danyelle D. Kimp
Founder & Real Beer Geek
QUAKE! Brewing Company, LLC
www.quakebrewingcompany.com

On Jan 25, 2017 2:06 PM, "Hoelscher, James C (CED)" <james.hoelscher@alaska.gov> wrote:

Mr. Kimp,

We do need you to surrender your license back to AMCO. Are you able to stop by or do you want an Investigator to contact you to facilitate this?

Thank you,

James

From: Danyelle D. Kimp [mailto:danyelle.d.kimp@gmail.com]
Sent: Wednesday, January 25, 2017 1:54 PM
To: Chambers, Sara C (CED)
Cc: Oates, Sarah D (CED); CED AMCO Enforcement (CED sponsored); Hoelscher, James C (CED)
Subject: RE: QUAKE! Licensing and Permitting Issue

Hello Director Chambers,

Thank you for such a swift response. I truly appreciate it.

It may take a while to work through legal issues with my current landlord, but as soon as I can get a chance I will reapply. At that time I would respectfully request the opportunity for an expedited application.

Once again, thank you for your consideration and understanding in this matter.

If you have any questions, please don't hesitate to contact me.

Respectfully,

Danyelle D. Kimp
Founder & Real Beer Geek
QUAKE! Brewing Company, LLC
www.quakebrewingcompany.com

[404-834-0997](tel:404-834-0997)

On Jan 25, 2017 1:45 PM, "Chambers, Sara C (CED)" <sara.chambers@alaska.gov> wrote:

Dear Mr. Kimp:

Thank you for letting us know about your situation. We will recommend at its meeting next week that the board deny your current application and look forward to your submission of a new application once you secure a location.

If you have any further questions regarding licensure, please contact our office through our licensing email at alcohol.licensing@alaska.gov.

Sincerely,

Sara Chambers

Acting Division Director

Alaska Alcohol and Marijuana Control Office

Main Office Phone: [\(907\) 269-0350](tel:907-269-0350)
<https://www.commerce.alaska.gov/web/amco/>

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From: Danyelle D. Kimp [<mailto:danyelle.d.kimp@gmail.com>]
Sent: Tuesday, January 24, 2017 9:23 PM
To: Franklin, Cynthia A (LAW)
Cc: McLaughlin, Francis D.; Bill Starr; CED AMCO Enforcement (CED sponsored); Hoelscher, James C (CED); Honest, Miranda L.
Subject: QUAKE! Licensing and Permitting Issue

Hello Director Franklin,

I am writing you to inform you that my landlord emailed today stating that she will not honor her agreement to modify our lease agreement, per Municipality of Anchorage and Alaska AMCO requirements.

On April 26, 2016 Laura Cantrell (landlord for Firelake Plaza II, LLC) testified on my behalf before the Anchorage Assembly Meeting, in regards to my alcohol permit

application. One or more of my application's conditions was to modify our lease; to include (among other things) live music. She agreed to all requirements.

Laura and I had at least three email and/or text message correspondences, from April - August 2016, where she agreed to make those required lease changes. Today she emails me and tells me otherwise.

All my floor plans, equipment, contractor work, advertising, etc were based on the plans she approved on April, 26 2016. That is hundreds of thousands of dollars in construction costs, countless lost profits, and the degradation of the good name of my company for something she never had any intention of doing.

Because of her actions I believe my alcohol permit, REPL license, and Brewpub license may not be valid. I will NOT distribute or manufacturer any more alcohol until further notified by you.

I would have come forward earlier, but my landlord kept telling me she would make the required changes. Today she said that she would not.

I have given my landlord plenty of opportunities to do the right thing. But, it is clear to me now. She never had any intention of doing so.

I sincerely apologize for my landlord's failure to honor her obligations to the Muni and State of Alaska.

Please let me know what I need to do to make amends and to be licensed and permitted at another location; as I am no longer a tenant at Firelake Plaza. Pending your guidance.

I have attached documents for your review. I can send any email correspondences you require.

Thank you for your time and consideration.

If you have any questions, please don't hesitate to contact me.

Respectfully,

Danyelle D. Kimp
Founder & Real Beer Geek
QUAKE! Brewing Company, LLC
www.quakebrewingcompany.com

[404-834-0997](tel:404-834-0997)