



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: June 9, 2020

FROM: Glen Klinkhart, Interim Director

RE: #301 No DBA

Requested Action: Reconsideration of denial of 4th waiver.

**Statutory
And
Regulatory
Authority:**

3 AAC 304.170(e): "The board will, in its discretion, deny a third or subsequent consecutive application for waiver unless the licensee clearly shows that the licensed premises were not operated because the premises were condemned or substantially destroyed by any cause...Additionally, a third or subsequent consecutive application for waiver that does not identify a licensed premises location will, in the board's discretion, be denied."

Background: At the November 2019 board meeting, the board voted to deny the 4th waiver in accordance with 3 AAC 304.170(e). However, during the informal hearing, additional information was presented to be brought forward for the Board's consideration.

Attachment: 4th Waiver Application for 2019
3rd Waiver Application for 2018, submitted with the 2019-2020 renewal.
2nd Waiver Application for 2017
1st Waiver Application for 2016, submitted with the 2017-2018 renewal.



Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

What is this form?

This form is the means by which a licensee may request that the Alcoholic Beverage Control (ABC) Board waive the operating requirement of AS 04.11.330(a)(3) or (d). If a recreational site license has not been operated at least once in a calendar year, or if a license of any other type has not been operated for at least 240 hours in a calendar year, then a complete copy of this form and the corresponding fees must be submitted for that calendar year, per 3 AAC 304.170.

This application must be accompanied by a non-refundable waiver application fee of:

- for a 1st request, an amount equal to ½ the applicable biennial license fee; or
- for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.

The ABC Board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises could not be operated for the required time during the calendar year. The ABC Board may impose conditions along with the approval of an application for waiver, and it may deny a third or subsequent application for waiver. If an application for waiver is denied, an application for license renewal for the succeeding license period will be denied by the Board. In addition to the waiver application fee, the applicant must pay a late fee of \$1,000 for an application that is received too late for Board consideration at its meeting before November 30 of the year for which the waiver is requested. Please check AMCO's website for meeting agenda deadlines.

Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	Foxglove, LLC	License Number:	301		
License Type:	Beverage Dispensary - Seasonal				
DBA:	No D.B.A.				
Premises Address:	No Premises				
City:	No City	State:	Alaska	ZIP:	NA
Local Governing Body:	Matanuska-Susitna Borough				

Section 2 – Request Number and Calendar Year

1st Request
 2nd Request
 3rd Request
 Other 4th (with transfer to new owner)

Request for Calendar Year 2019

Page 1 of 2

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OCT 21 2019 **OCT 10 2019**

AMCO

ALCOHOL AND MARIJUANA CONTROL OFFICE
STATE OF ALASKA



Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

The licenses was listed with Mat-Su Realty & Appraisal Keller Williams Alaska Group for sale in 2018. On June 5, 2019 we came under contract with Lance Hall, for the purchase of the license. Since that time, we have been informed that the buyer has been working diligently on the license transfer process. We have since been informed that the transfer is scheduled for consideration at the November 2019 ABC Board Meeting. Buyer has requested that Foxglove complete this form as a requirement of the transfer.

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

Read the line below, and then sign your initials in the box to the right of the statement:

Initials

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.



As a liquor licensee, I declare under penalty of perjury that this form, including all attachments, is true, correct, and complete.

Signature of licensee

Ashlee Stetson

Printed name of licensee



Notary Public in and for the State of Alaska.

My commission expires: 05/05/22

Subscribed and sworn to before me this 8th day of October, 2019.

Office Use Only			
Waiver Application Fee:	<u>5000 -</u>	Late Fee:	
		Transaction #:	<u>1158766 & 1158769</u>



Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

What is this form?

This form is the means by which a licensee may request that the Alcoholic Beverage Control (ABC) Board waive the operating requirement of AS 04.11.330(a)(3) or (d). If a recreational site license has not been operated at least once in a calendar year, or if a license of any other type has not been operated for at least 240 hours in a calendar year, then a complete copy of this form and the corresponding fees must be submitted for that calendar year, per 3 AAC 304.170.

This application must be accompanied by a non-refundable waiver application fee of:

- for a 1st request, an amount equal to ½ the applicable biennial license fee; or
- for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.

The ABC Board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises could not be operated for the required time during the calendar year. The ABC Board may impose conditions along with the approval of an application for waiver, and it may deny a third or subsequent application for waiver. If an application for waiver is denied, an application for license renewal for the succeeding license period will be denied by the Board. In addition to the waiver application fee, the applicant must pay a late fee of \$1,000 for an application that is received too late for Board consideration at its meeting before November 30 of the year for which the waiver is requested. Please check AMCO's website for meeting agenda deadlines.

Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	Foxglove, LLC	License Number:	301		
License Type:	Beverage Dispensary - Seasonal				
DBA:	No D.B.A.				
Premises Address:	No Premises				
City:	No City	State:	Alaska	ZIP:	NA
Local Governing Body:	Matanuska-Susitna Borough				

Section 2 – Request Number and Calendar Year

1st Request
 2nd Request
 3rd Request
 Other _____

Request for Calendar Year 2018





Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

Originally we planned on constructing a new facility at 450 Trent Circle, and have spent a few years trying to navigate some platting challenges with regard to development of the property. In recent months, we've determined we are unable to continue with the plan of constructing a new building due to limited financial resources. We have since listed the license with Mat-Su Realty & Appraisal Keller Williams Alaska Group for sale. We have been advised that there isn't enough data to determine how many 'Days on Market' the listing will be before sold. However, we have already been contacted by a few people interested in the license, and expect to continue monitoring the interest and activity and adjust the sales price accordingly to ensure that a transaction and complete transfer can be completed early in the year.

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

Read the line below, and then sign your initials in the box to the right of the statement:

Initials

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.

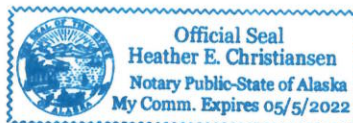


As a liquor licensee, I declare under penalty of perjury that this form, including all attachments, is true, correct, and complete.

Signature of licensee

Ashlee Stetson

Printed name of licensee

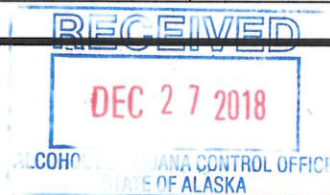


Notary Public in and for the State of Alaska.

My commission expires: 05/05/2022

Subscribed and sworn to before me this 26th day of December, 2018.

Office Use Only			
Waiver Application Fee:	<u>2500</u>	Late Fee:	<u>1000</u>
		Transaction #:	<u>1003935</u>





**McKenzie A
Labuda**
**Keller Williams
Realty Alaska
Group of Wasil**

621 S. Knik Goose Bay F
Wasilla, AK 99654
Direct -

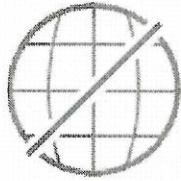
Fax -
907-864-6565
Cell -
907-232-7888

mckenzie@matsurealtyai

000 Full Beverage Liquor License Wasilla AK 99654

1 listings

View Checked (0)



Photos | Map

\$150,000

Active / 18-19579

000 Full Beverage Liquor License
Wasilla, AK 99654

Area: WA

Business Name:

Business Includes, Condo Type, Property Use: NP

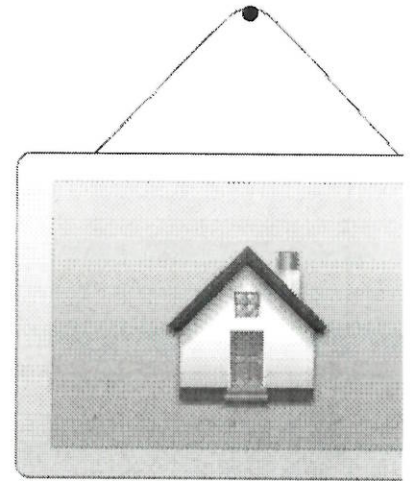
SF-Res:

Zoning: UNK - Unknown

Listing Member:

Listing Office: Keller Williams Realty Alaska Group of Wasilla

Full beverage liquor license that can be used anywhere in the Matanuska-Susitna Borough except in the City of Houston, City of Palmer, or City of Wasilla. Transfer requires approval of the ABC Board, Matanuska-Susitna Borough, as well as local Council where license will be located. Fees are current, and this is a cash only sale.



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DEC 27 2018
ALCOHOL & TOBACCO CONTROL OFFICE
STATE OF ALASKA



Alaska Alcoholic Beverage Control Board

Master Checklist: Renewal Liquor License Application

Doing Business As:	Foxglove, LLC	License Number:	301
License Type:	Beverage Dispensary - Seasonal	-NO Premises	1003982
Examiner:	John	Transaction #:	1003935

Document	Received	Completed	Notes
AB-17: Renewal Application	12/27	1/18/19	
App and License Fees	12/27	12/27/18	

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			
AB-29: Waiver of Operation	12/27	12/27/18	
AB-30: Minimum Operation			
AB-33: Restaurant Affidavit			
COI / COC / 5 Star			
FP Cards & Fees / AB-08a			
Late Fee			

Names on FP Cards:	
--------------------	--

	Yes	No
Selling alcohol in response to written order (package stores)?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mailing address and contact information different than in database (if yes, update database)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

LGB 1 Response:

LGB 2 Response:

Waive
 Protest
 Lapsed
 Waive
 Protest
 Lapsed



Alaska Alcoholic Beverage Control Board

Form AB-17: 2019/2020 Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing liquor license that will expire on December 31, 2018. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only should be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete. Receipt and/or processing of renewal payments by AMCO staff neither indicates nor guarantees that an application will be considered complete, or that a license will be renewed.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed. If any populated information is incorrect, please contact AMCO.

Licensee:	Foxglove, LLC	License #:	301
License Type:	Beverage Dispensary - Seasonal	Legal Ref.:	AS 04.11.090
Doing Business As:	No D.B.A.		
Premises Address:	No Premises		
Local Governing Body:	Matanuska-Susitna Borough		
Community Council:	None		
Mailing Address:	3201 Tamarak		
City:	Wasilla	State:	AK
		ZIP:	99654

Enter information for the individual who will be designated as the primary point of contact regarding this application. This individual **must be a licensee** who is required to be listed in and authorized to sign this application.

Contact Licensee:	Asnlee Stetson	Contact Phone:	232-1304
Contact Email:	asnlee@wsiak.com		

Optional: If you wish for AMCO staff to communicate with individual who is not a licensee named on this form (eg: legal counsel) about this application and other matters pertaining to the license, please provide that person's contact information in the fields below.

Name of Contact:		Contact Phone:	
Contact Email:			





Form AB-17: 2019/2020 Renewal License Application

Section 2 - Entity or Community Ownership Information

This top subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations, Business & Professional Licensing (CBPL). This number is neither your EIN/tax ID number, nor your business license number. You may view your entity's status or find your CBPL entity number by using the following site: <https://www.commerce.alaska.gov/cbp/main/search/entities>
General partnerships and local governments should skip to the second half of this page. Licensees who directly hold a license as an individual or individuals should skip to Section 3.

Alaska CBPL Entity #:	69491D
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You must ensure that you are able to certify the following statement before signing your initials in the box to the right: Initials

I certify that this entity is in good standing with CBPL and that all current entity officials and stakeholders (listed below) are also currently and accurately listed with CBPL.

This subsection must be completed by any community or entity, including a corporation, limited liability company, partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

Important Note: The information provided in the below fields (including spelling of names, specific titles, and percentages held) must match that which is listed with CBPL. If one individual holds multiple titles mentioned in the bullets above, all titles must be listed for that individual on this application and with CBPL. Failure to list all required titles constitutes an incomplete application.

Name of Official:	Vikki J VanBuskirk Irrevocable Trust			
Title(s):	Owner Member	Phone:	373-6572	% Owned: 100
Mailing Address:	3201 Tamarak Ave			
City:	Wasilla	State:	AK	ZIP: 99654

Name of Official:	Vikki J. VanBuskirk			
Title(s):	Trustee Affiliate	Phone:	376-6911	% Owned: 0
Mailing Address:	3201 Tamarak Ave			
City:	Wasilla	State:	AK	ZIP: 99654

Name of Official:	Ashlee S. Setson			
Title(s):	Manager, Trustee	Phone:	232-1304	% Owned: 0
Mailing Address:	101 N. Ashlee Cir			
City:	Wasilla	State:	AK	ZIP: 99654





Form AB-17: 2019/2020 Renewal License Application

Section 3 – Sole Proprietor Ownership Information

This section must be completed by any licensee who directly holds the license as an **individual or multiple individuals** and is applying for license renewal. If more space is needed, please attach a separate sheet that includes all of the required information. Entities should skip to Section 4. The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate (spouse)

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

This individual is an: applicant affiliate (spouse)

Name:				Contact Phone:	
Mailing Address:					
City:		State:		ZIP:	
Email:					

Section 4 – Alcohol Server Education

This section must be completed only by the holder of a **beverage dispensary, club, or pub** license or **conditional contractor's permit**. The holders of all other license types should skip to Section 5.

Read the line below, and then sign your initials in the box to the right of the statement:

Initials

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of a patron have completed an alcohol server education course approved by the ABC Board and keep current, valid copies of their course completion cards on the licensed premises during all working hours, as set forth in AS 04.21.025 and 3 AAC 304.465.

Section 5 – License Operation

Check a single box for each calendar year that best describes how this liquor license was operated: 2017 2018

The license was regularly operated continuously throughout each year.	<input type="checkbox"/>	<input type="checkbox"/>
The license was regularly operated during a specific season each year.	<input type="checkbox"/>	<input type="checkbox"/>
The license was only operated to meet the minimum requirement of 240 total hours each calendar year. <i>If this box is checked, a complete copy of Form AB-30: Proof of Minimum Operation Checklist, and all necessary documentation must be provided with this application.</i>	<input type="checkbox"/>	<input type="checkbox"/>

The license was not operated at all or was not operated for at least the minimum requirement of 240 total hours each year, during one or both of the calendar years.
If this box is checked, a complete copy of Form AB-29: Waiver of Operation Application and corresponding fees must be submitted with this application for each calendar year during which the license was not operated for at least the minimum requirement, unless a complete copy of the form (including fees) has already been submitted for that year.





Form AB-17: 2019/2020 Renewal License Application

Section 6 – Violations and Convictions

Applicant violations and convictions in calendar years 2017 and 2018:

Yes No

Have any notices of violation (NOVs) been issued to this licensee in the calendar years 2017 or 2018?

Yes No

Has any person or entity named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2017 or 2018?

Yes No

If "Yes" to either of the previous two questions, attach a separate page to this application listing all NOVs and/or convictions.

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

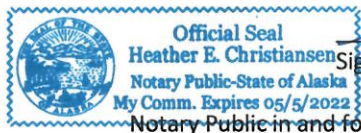
I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.

I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers, managers, general partners, or stakeholders) from what is currently approved and on file with the Alcoholic Beverage Control Board.

I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.

As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board or AMCO staff in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

Ashlee Stetsen
Signature of licensee



Heather E. Christiansen
Signature of Notary Public

Ashlee Stetsen
Printed name of licensee

Notary Public in and for the State of Alaska

My commission expires: 05/05/22

Subscribed and sworn to before me this 26th day of December, 2018.

Seasonal License? Yes No

If "Yes", write your six-month operating period: _____

License Fee:	\$ 1250.00	Application Fee:	\$ 300.00	TOTAL:	\$ 1550.00
Miscellaneous Fees:	<u>AB-29 Waiver fee 1250 + 1000.</u>				<u>2250 3500</u>
GRAND TOTAL (if different than TOTAL):	<u>2500 + 1000</u>				<u>3800.00</u>





Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

What is this form?

This form is the means by which a licensee may request that the Alcoholic Beverage Control (ABC) Board waive the operating requirement of AS 04.11.330(a)(3) or (d). If a recreational site license has not been operated at least once in a calendar year, or if a license of any other type has not been operated for at least 30 eight-hour days in a calendar year, then a complete copy of this form and the corresponding fees must be submitted for that calendar year, per 3 AAC 304.170.

This application must be accompanied by a non-refundable waiver application fee of:

- for a 1st request, an amount equal to ½ the applicable biennial license fee; or
- for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.

The ABC Board will determine whether, through no fault of the licensee or because the premises are under construction, the licensed premises count not be operated for the required time during the calendar year. The ABC Board may impose conditions along with the approval of an application for waiver, and it may deny a third or subsequent application for waiver. If an application for waiver is denied, an application for license renewal for the succeeding license period will be denied by the Board. In addition to the waiver application fee, the applicant must pay a late fee of \$1,000 for an application that is received too late for Board consideration at its meeting before November 30 of the year for which the waiver is requested. Please check AMCO's website for meeting agenda deadlines.

Please note that a licensee must submit a separate completed copy of this form and pay a separate corresponding fee for each license and for each calendar year during which a license was not operated in compliance with AS 04.11.330.

Section 1 – Establishment Information

Enter information for the license that has not been operated for the time required under AS 04.11.330.

Licensee:	Foxglove, LLC	License Number:	301		
License Type:	Beverage Dispensary - Seasonal				
DBA:					
Premises Address:	No Premises				
City:	Wasilla	State:	Alaska	ZIP:	99654
Local Governing Body:	Matanuska-Susitna Borough				

Section 2 – Request Number and Calendar Year

1st Request
 2nd Request
 3rd Request
 Other _____

Request for Calendar Year 2017





Alcohol and Marijuana Control Office
 550 W 7th Avenue, Suite 1600
 Anchorage, AK 99501
alcohol.licensing@alaska.gov
<https://www.commerce.alaska.gov/web/amco>
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Section 3 – Reason for Non-operation

Provide an explanation as to why the licensed premises were not operated:

Please see attached.

Section 4 – Certifications

The following must be completed for establishments located within the boundaries of a local governing body:

Read the line below, and then sign your initials in the box to the right of the statement:

Initials

I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.



As a liquor licensee, I declare under penalty of perjury that this form, including all attachments, is true, correct, and complete.

Signature of licensee

Ashlee Stetson

Printed name of licensee



Notary Public in and for the State of Alaska.

My commission expires: 05/05/18

Subscribed and sworn to before me this 29th day of January, 2018.

Office Use Only

Waiver Application Fee:		Late Fee:		Transaction #:	
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Waiver of Operation
Request Description

To follow up with the information provided for the Waiver of Operation last year (2017) I am still awaiting the final platting of the parcel at 450 Trent Circle.

Attached is a copy of the Waiver of Operation Request Description provided last yet, which outlines the challenges we've faced with regard to the construction of a new facility for which to operate the license.

Additionally, I have also provided an updated preliminary plat (not a final and approved plat) of the property to illustrate the commercial parcels that will be available for the build to suit construction method we anticipate for our facility.

Should you have any questions or need any additional information, please feel free to contact me at 907-232-1304.

Thank you,



Ashlee Stetson
Foxglove, LLC



Waiver of Operation Application

15188

License Information		Fees*	
Liquor License Number: 301		Waiver Fee	\$ 625.00
License Type: Beverage Dispensary - Seasonal		Penalty (If applicable)	\$ 1,000.00
Local Governing Body: (City, Borough or Unorganized) Matanuska-Sustna Borough		Total Submitted	\$ 1625.00
Name of Licensee: Foxglove, LLC		*The fee is non-refundable	
Doing Business As (Business Name) NO D.B.A.		Telephone Number:	907-232-1304
Mailing Address: 3201 Tamarak Ave Wasilla, Alaska 99654	Street Address or Location of Business	NO Premises	
	City:		

Waiver Request Information	
This waiver application is the:	<input checked="" type="checkbox"/> 1 st Request <input type="checkbox"/> 2 nd Request <input type="checkbox"/> 3 rd Request <input type="checkbox"/> Other _____
Waiver Request for Calendar Year: 	Is this license for sale? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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.

Please see attached.



Signature of Licensee(s)	
Signature Ashlee Stetsch	Signature
Name (Please Print) Ashlee Stetsch	Name (Please Print)
Date 2/10/17	Date

Waiver of Operation
Request Description

I currently have a lease with a build to suit option for property located at 450 Trent Circle in the Mat-Su Borough. Although our current liquor license reflect 'No Premises', this parcel is where I intend to build a restaurant / lounge and operate the liquor license.

We were informed almost a year ago that the property was in a Flood Plain, however the Mat-Su Borough was working with FEMA to redraw the Flood Plain Map in the area via Map Amendment. The Mat-Su Borough's plan of map change with FEMA can be found at <http://msb.maps.arcgis.com/apps/StorytellingSwipe/index.html?appid=9474c8ea28274376bfa7facb1a72942b#>. Additionally I have provided copies of the existing Flood Plain Map and the Proposed Flood Plain Map. In discussions with our surveyor (Acutek Geomatics) as well as Michelle Olsen, Permit Technician of the Mat-Su Borough, we expected this flood plain change to be completed in 2016. However, to date this process has not been completed between the Borough and FEMA.

A building constructed in a Flood Plain is not financeable or reasonably insurable, and therefore cannot feasibly be constructed until the remapping of the flood plain is completed. To construct a building outside these parameters would require 100% cash only investment in the platting and construction, and would be substantially high-risk with an uninsured building. I am currently not in the financial position to pay such costs or assume such liability.

To expedite the process once the Flood Plain designation has been changed, we have been working with our surveyors in the platting of the property to allow for an ideal parcel for the proposed restaurant / lounge building. We hope to begin the platting of the parcel and construction of the building immediately upon the property becoming insurable and financeable. I have also attached a copy of the preliminary platting concepts for your reference as well. Again, I am actively working on any aspect of the project that could provide expedited completion of the building.

Should you have any questions or need any additional information, please feel free to contact me at 907-232-1304.

Thank you,

Ashlee Stetson
Foxglove, LLC





RECEIVED
FEB 17 2017
ALCOHOL MARIJUANA CONTROL
STATE OF ALASKA

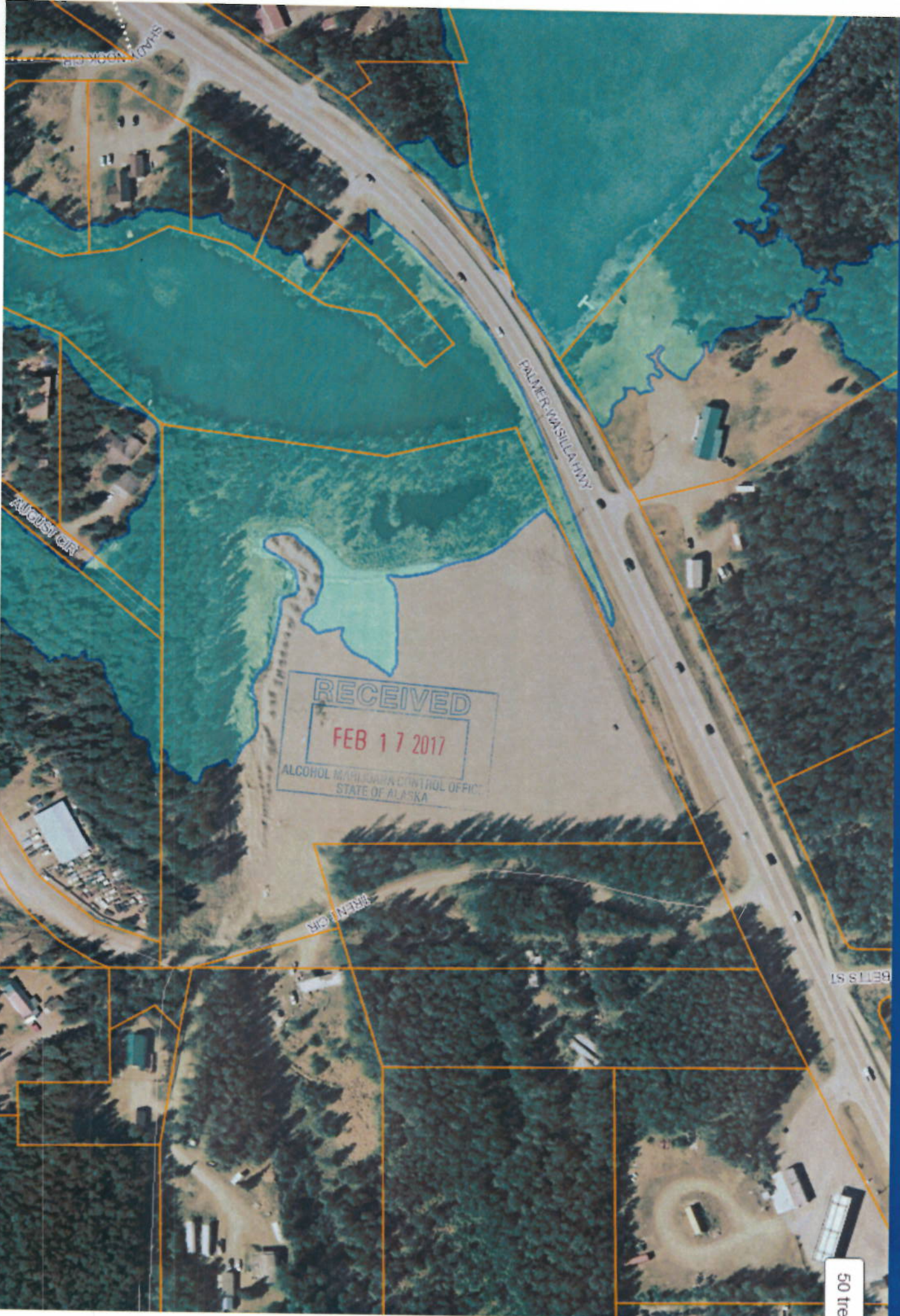
DRAFTS

EVALER WISLA RD

ALBERT CR

NO. NORTH

BELL ST



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FEB 17 2017

ALCOHOL MARIJUANA CONTROL OFFICE
STATE OF ALASKA

PALMER WASILLA RD

AUGUST CIR

MOYNESS

BELLS ST

50 feet

acutek geomatics llc

5099 E. Blue Lupine Dr. #104
Wasilla, Alaska 99654
907-376-8800 Fax 907-376-9629
Email: admin@acuteksurvey.com

1/27/2017

Bru-Nette LLC.
5099 E. Blue Lupine Dr.
Wasilla, Alaska 99654

Re: Professional survey proposal for property described in Warranty Deed #2005-011192-0 Palmer Recording District. Township 17 North, Range 1 West, Section 11, Tax Lots A10, A11 & Tax Parcel B24 in Section 12

Attached to this proposal, you will find 3 sketches of possible lot designs. This quote does not reflect Design #3, which is intended to show a possibility of Full Plat design with road construction. These designs are draft only, and have not been reviewed or approved by the Matanuska-Susitna Borough at this time. No easements have been researched on this property at this time. A title report (Certificate to Plat) will disclose all easements that we were not able to find on public record. It is unclear, without having the Preliminary Application Conference with the MSB, if the MSB will require any Right-of-Way dedication for that portion of Trent Circle that lies within the subject parcel. The areas in those proposed lots are subject to change.

Our scope of work:

Fixed Fee: \$8,400

- Preliminary Application Conference with the MSB
- Asbuilt Survey (tie utilities and any existing features)
- Topographic Survey
- Production of Preliminary plat
- Attend Public Hearing in front of Platting Board
- Monument all lot corners
- Final Plat submittal
- Pay Recording Fees (\$26.00)



Other considerations necessary for plat approval:

1) Professional Engineer:

Engineer will be tasked with the Geotechnical investigation, test holes, Useable Soils and buildable area report. We use Dan Steiner (357-5609) and Curt Holler (376-0410)

2) Certificate to Plat:

Estimate \$310

If you have a title company that you work with, a certificate to plat will need to be ordered from them. If you do not have one you deal with, I can recommend MatSu Title (376-5294).

3) Borough Platting Fees:

Abbreviated Plat: \$500

Postage and advertizing fees: \$125 +/-

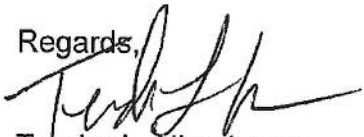
4) Property taxes:

Prior to the final recording of the plat the borough requires that all property taxes levied be current.

To initiate our work please contact our office. We require a retainer of \$2,800 to be paid to commence work, this is one-third of our total fee. There will be forms and a letter which authorizes my company to act as your agent for this action. These papers will require the signatures of all the owners, or the signee of the corporation. When we are ready to submit the preliminary plat of the proposed subdivision, along with the required items layed out on the Preliminary Application workup (IE engineer reports, certificate to plat, fees) the second installment of \$2,800 will be due. The Public Hearing will then take place, and assuming that we are not required to fulfill any conditions that are not expected, we will then commence with our creation of the final plat. When we are ready to submit the final plat of the proposed subdivision the remaining \$2,800 of our fee will be due.

There is a lot of information in this letter, so if you have any questions that I can answer, please call anytime at 376-8800. We look forward to serving you on this project and other endeavors in the future.

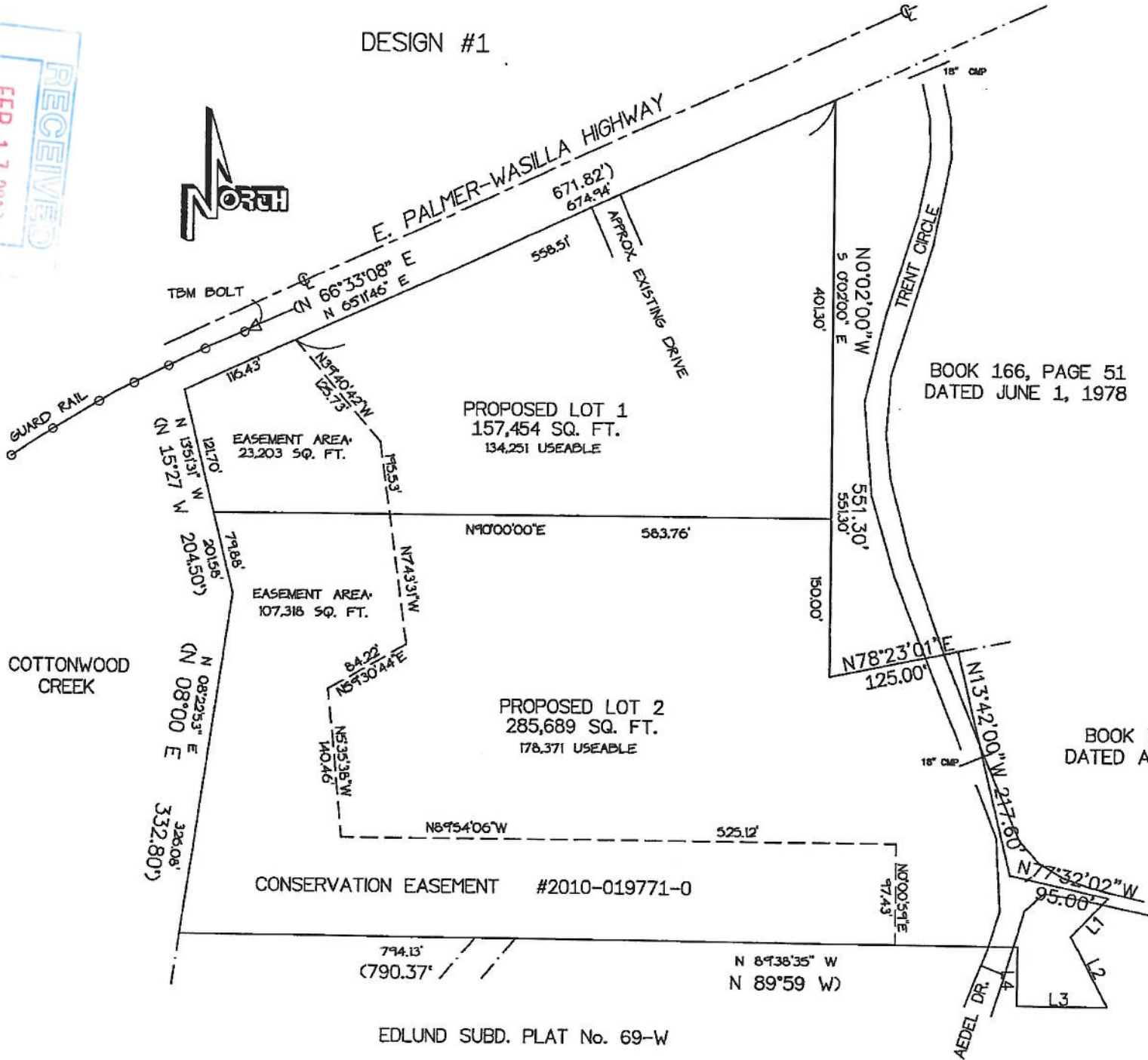
Regards,



Tendra L. Nicodemus
Office Manager



DESIGN #1



BOOK 166, PAGE 51
DATED JUNE 1, 1978

BOOK 779, PAGE 603
DATED AUGUST 29, 1994

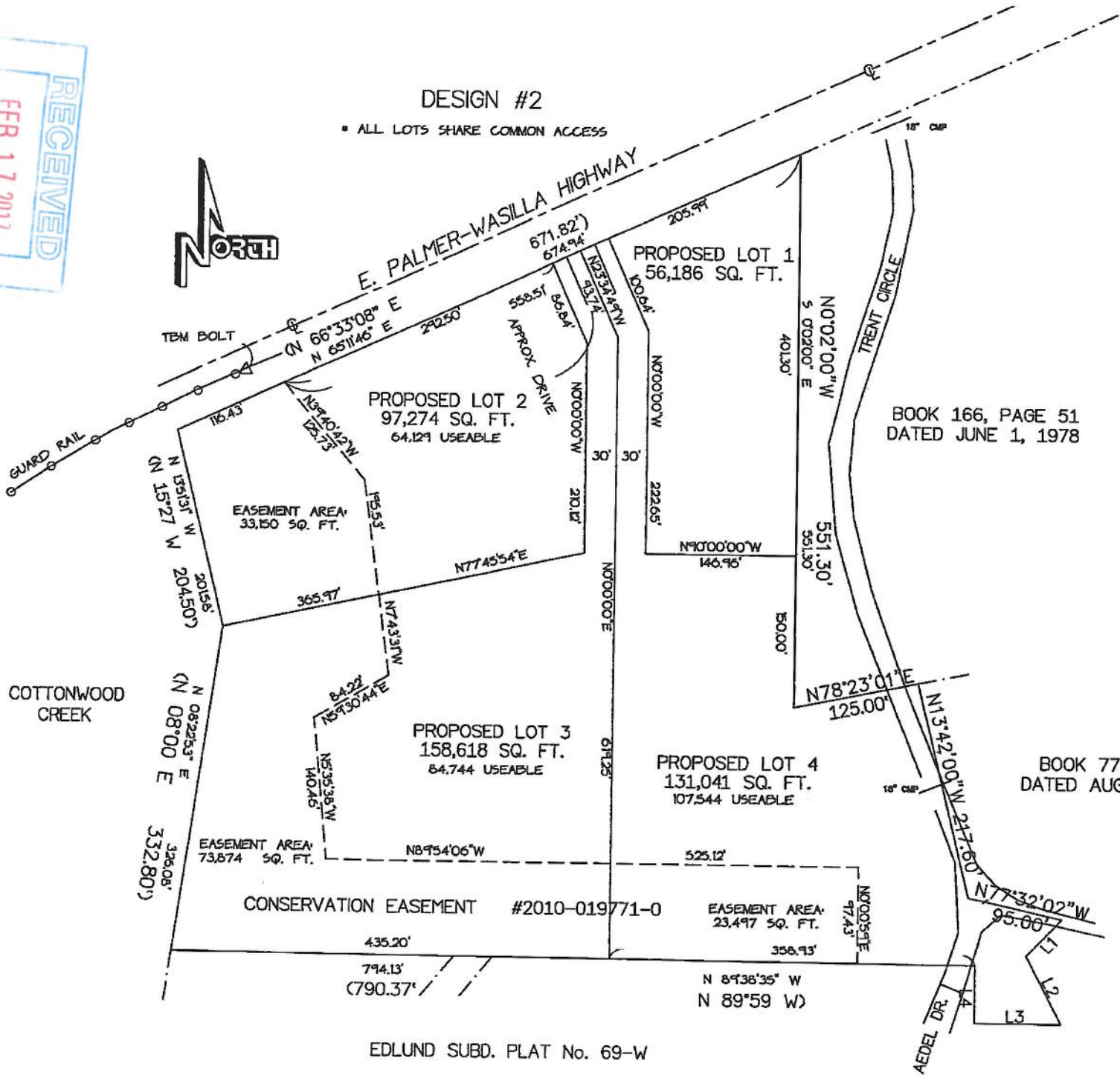
CONSERVATION EASEMENT #2010-019771-0

EDLUND SUBD. PLAT No. 69-W



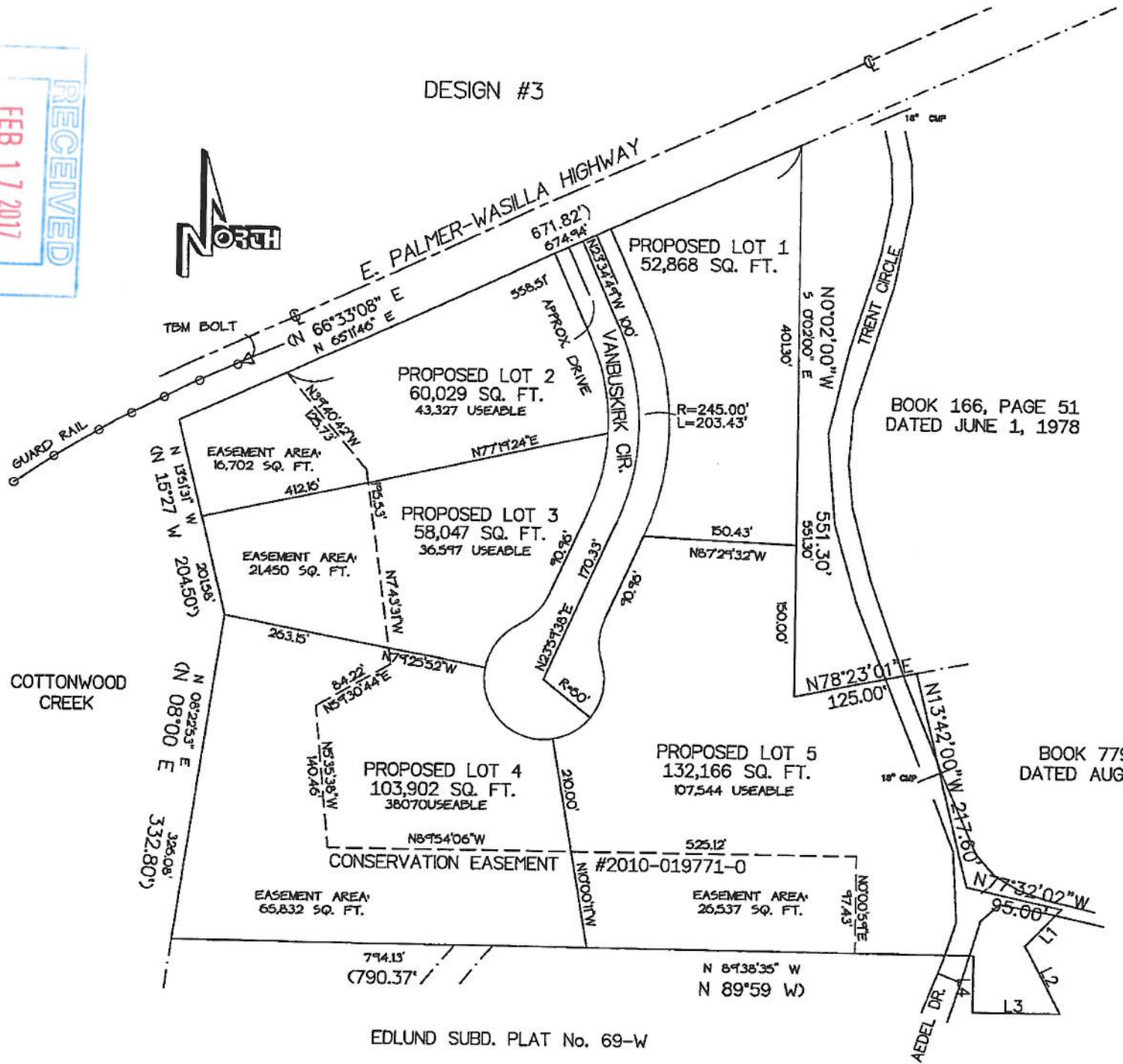
DESIGN #2

ALL LOTS SHARE COMMON ACCESS



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 STATE OF ALASKA

DESIGN #3



BOOK 166, PAGE 51
 DATED JUNE 1, 1978

BOOK 779, PAGE 603
 DATED AUGUST 29, 1994

EDLUND SUBD. PLAT No. 69-W



Alaska Alcoholic Beverage Control Board

Master Checklist: Renewal Liquor License Application

License Type:	BD	License Number:	301
Doing Business As:	NO D.B.A.		
Examiner:	<i>Jane</i>	Transaction #:	14435

Document	Received	Completed	Notes
AB-17: Renewal Application	12/7/16	<i>2/22</i>	<i>2016 waiver - verify seasonal section</i>
App and License Fees	12/7/16		<i>1/10: Returned by mail</i>

Supplemental Document	Received	Completed	Notes
Tourism/Rec Site Statement			
AB-25: Supplier Cert (WS)			<i>Waivers submitted</i>
AB-29: Waiver of Operation			<i>1st waiver for the year</i>
Fingerprint Cards and Fees			<i>2016</i>
Guest Room Stock Fee			
Late Fee			

Names on FP Cards: _____

	Yes	No
Selling alcohol in response to written order (package stores)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mailing address different than one in database?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
In "Good Standing" with CBPL (skip this and next question for sole proprietor)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Officers and stockholders match CBPL and database (if "No", determine if transfer necessary)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Protestor/Objector: _____ Date: _____

Temporary Date: _____ Issue Date: _____



Alaska Alcoholic Beverage Control Board

Form AB-17: Renewal License Application

What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing liquor license that will expire on December 31, 2016. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only needs to be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.

Section 1 – Establishment and Contact Information

Enter information for the business seeking to have its license renewed.

Licensee:	Foxglove, LLC	License #:	301
License Type:	Beverage Dispensary-Seasonal	Statute:	AS 04.11.090
Doing Business As:	No D.B.A.		
Premises Address:	No Premises		
Local Governing Body:	Matanuska-Susitna Borough		
Community Council:	None		

Mailing Address:	3201 Tamarak Avenue		
City:	Wasilla	State:	AK
		ZIP:	99654

Enter information for the licensee who will be designated as the primary point of contact regarding this application and the license.

Designated Licensee:	Ashlee Stetson		
Contact Phone:	232.1304	Business Phone:	373.6572
Contact Email:	ashlee@wsiak.com		

Seasonal License? Yes No

If "Yes", write your six-month operating period: _____





Alaska Alcoholic Beverage Control Board

Form AB-17: Renewal License Application

Section 2 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 3.

If more space is needed, please attach a separate sheet with the required information.

The following information must be completed for each licensee and each affiliate (spouse).

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					

This individual is an: applicant affiliate

Name:					
Address:					
City:		State:		ZIP:	
Email:					
Contact Phone:					

Section 3 – Entity Ownership Information

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC). Partnerships may skip to Page 3. Sole proprietors should skip to Section 4.

Alaska DOC Entity #:	694910
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Alaska Division of Corporations:

Is your entity in good standing with the Alaska Division of Corporations?

Yes No





Alaska Alcoholic Beverage Control Board

Form AB-17: Renewal License Application

This subsection must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each *stockholder who owns 10% or more* of the stock in the corporation, and for each *president, vice-president, secretary, and managing officer*.
- If the applicant is a limited liability organization, the following information must be completed for each *member with an ownership interest of 10% or more*, and for each *manager*.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each *partner with an interest of 10% or more*, and for each *general partner*.

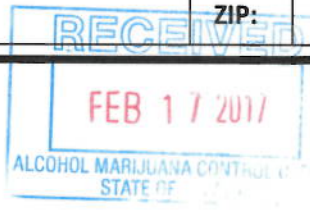
Entity Official:	Vikki J. VanBuskirk Irrevocable Trust			
Title(s):	Owner	Phone:	373-6572	% Owned: 100
Address:	3201 Tamarak Ave			
City:	Wasilla	State:	AK	ZIP: 99654

Entity Official:	Vikki J. VanBuskirk			
Title(s):	Trustee	Phone:	376-6911	% Owned: 0
Address:	3201 Tamarak Ave			
City:	Wasilla	State:	AK	ZIP: 99654

Entity Official:	Ashlee S. Stetson			
Title(s):	Trustee	Phone:	232-1304	% Owned: 0
Address:	101 N. Ashlee Cir			
City:	Wasilla	State:	AK	ZIP: 99654

Entity Official:				
Title(s):		Phone:		% Owned:
Address:				
City:		State:		ZIP:

Entity Official:				
Title(s):		Phone:		% Owned:
Address:				
City:		State:		ZIP:





Alaska Alcoholic Beverage Control Board

Form AB-17: Renewal License Application

Section 4 – Authorization

Communication with AMCO staff:

Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

[Empty text box]

Section 5 – License Operation

Check the box that best describes your liquor license operations in calendar years 2015 and 2016:

The license was regularly operated continuously throughout each year, for 8 or more hours each day.

The license was regularly operated during a specific season each year, for 8 or more hours each day.

The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day. If this box is checked, an AMCO employee will contact you after reviewing your application.

The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years.

If this box is checked, an AMCO employee will contact you after reviewing your application.

Section 6 – Convictions

Applicant convictions in calendar years 2015 and 2016:

Yes No

Has any person named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2015 or 2016?

If "Yes", list all convictions:

[Empty text box]





Alaska Alcoholic Beverage Control Board

Form AB-17: Renewal License Application

Section 7 – Certifications

Read each line below, and then sign your initials in the box to the right of each statement:

Initials

I certify that all current licensees (as defined in AS 04.11.260) and affiliates have been listed on this application, and if the licensee is an organized entity, that all current entity officials and stakeholders are listed with the Alaska Division of Corporations.



I certify on behalf of myself or of the organized entity that I understand that providing a false statement on this form or any other form provided by AMCO is grounds for rejection or denial of this application or revocation of any license issued.



I certify that in accordance with AS 04.11.450, no one other than the licensee(s) has a direct or indirect financial interest in the licensed business.



I certify that I have not altered the functional floor plan or reduced or expanded the area of the licensed premises, and I have not changed the business name or the ownership (including officers or stakeholders) from what is currently on file with the Alcoholic Beverage Control Board.



I certify that I have not violated any restrictions pertaining to this particular license type, and that this license has not been operated in violation of a condition or restriction imposed by the Alcoholic Beverage Control Board.



As an applicant for a liquor license renewal, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete. I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application and understand that failure to do so by any deadline given to me by AMCO staff will result in this application being returned to me as incomplete.

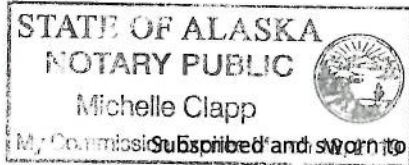
Signature of licensee

Signature of Notary Public

Ashlee Stetson

Printed name of licensee

Notary Public in and for the State of Alaska



My commission expires: 3-12-2019

My Commission Subscribed and sworn to before me this 18 day of December, 2016

License Fee:	\$ 1250.00	Filing Fee:	\$ 200.00	TOTAL:	\$ 1450.00
Late Fee of \$500.00 – if received or postmarked after 01/03/2017:					
Miscellaneous Fees:					
GRAND TOTAL (if different than TOTAL):					1450.00

