



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: January 20, 2026

FROM: Anna White, Licensing Examiner II

RE: 2097 No DBA, Yellowstone Investments, LLC,
4th Waiver of Operations 2025

Background: Consideration of the fourth waiver of operations is requested for license 2097. Transfer of ownership and location was approved with delegation at the September 2022, Board Meeting. Remaining delegations include a lease or deed for the premises, and updated Entity documents. According to correspondence from the transferee and waiver applications, renovations in the new location have yet to be completed thus holding up the effectuation of the transfer and operation of the license. The third waiver of operations was approved by the ABC Board at the February 2025, Board Meeting.

Attachments: Memo; 4th Waiver Application for 2025; 3rd Waiver Application for 2024; 2nd Waiver Application for 2023; and 1st Waiver Application for 2022.

Excerpt from February 4th, 2025, Approved Meeting Minutes:

● 3rd AB-29 WAIVER OF OPERATIONS WITH 2025-2026 RENEWAL

A. License # 2097	No DBA	<u>TAB 10</u>
Licensee:	Yellowstone Investments LLC	
License type:	Beverage Dispensary	
Premises address:	No Premises	
Local governing body:	Municipality of Anchorage	
Consideration:	3 rd AB-29 Waiver of Operations with 2025-2026 Renewal	

David McCarthy, owner/operator for the C Street location where the license has been transferred. It had been transferred to the old Ramada's building. They're working with a new architect and hired a contractor to start working in March. Looking to open by fall/winter as early as October 2025 or as late as the beginning of 2026.

Motion to approve the 3rd waiver of operations by Diane Thompson. Second by Jan Hill. 4-0. Motion passes.

Motion to approve license 2097 renewal with delegation by Diane Thompson. Second by Jan Hill. 4-0. Motion passes.

Applicable statute: AS 04.11.330(a)(3). An application requesting renewal of a license or endorsement shall be denied if the applicant has not operated the licensed premises for at least 240 hours during each of the two preceding calendar years, unless the board determines that the licensed premises are under construction or cannot be operated through no fault of the applicant;...

Applicable regulation: [3 AAC 305.120 Waiver of annual operating requirement and minimum operating requirements.](#) (a) Except as provided in this section, the board will deny an application for renewal of a license or a license with one or more endorsements if the licensed premises were not operated for the time required under [AS 04.11.330\(a\)\(3\)](#) or (d).

(b) A licensee may submit a waiver application to the board to request a waiver of the operating requirement in [AS 04.11.330](#) (a)(3) or (d). Under [AS 04.11.330](#)(a)(3), the 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 preceding calendar year.

(c) A waiver application for a calendar year must be made in writing to the board and must be accompanied by the non-refundable application fee of (1) an amount equal to one-half the applicable biennial license fee if a waiver application was not made for the previous year; or (2) double the amount of the fee paid for the previous waiver application.

(d) A waiver application must include a statement from the licensee explaining why the licensed premises was not in compliance with [AS 04.11.330](#)(a)(3) or (d). The licensee must provide a copy of the waiver application to any local governing body with jurisdiction over the license and licensed premises.

(e) The board may deny a third or subsequent, consecutive application for waiver (1) unless the licensee clearly shows that the licensed premises were not operated, because the premises were condemned or substantially destroyed by any cause; ...

(f) Absent circumstances to the contrary, the board will deny a third or subsequent, consecutive application for waiver in the event of condemnation or destruction of the premises if the premises identified on an applicant's license are not leased or owned by the licensee. Additionally, a third or subsequent consecutive application for waiver that does not identify a licensed premises location will be denied.

(g) The board may impose conditions along with the approval of a waiver application.

(h) If a waiver application is denied, an application for license renewal for the succeeding license period will be denied by the board under AS 04.11.330(a)(3).

(i) In addition to the application fee under (c) of this section, the applicant shall pay \$1,000 for an application that is received too late for board consideration at its last meeting of the calendar year for which the waiver is requested.

(j) In the event of the death of a licensee, destruction of the premises, or comparable circumstances showing extraordinary hardship, the board may waive fees required under (c) and (i) of this section.

...



Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

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

Why is this form needed? A licensee must request that the Alcoholic Beverage Control Board waive the operating requirements of AS 04.11.330(a)(3) or (d). If a recreational site license, a theater license, a common carrier dispensary license, or a sporting activity or event license did not operate at least once during a calendar year, or if a license of any other type did not operate for at least 240 hours in a calendar year, this application (and corresponding fees upon request) must be submitted for the calendar year, per 3 AAC 305.120. *A waiver application does not apply to Manufacturer Direct Shipment license*.

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

- 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 review your statement to 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 a calendar year. The ABC Board may impose conditions along with the approval of an application for waiver of operation. If an application for waiver of operation is denied, an application for the 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 last meeting of the year for which the waiver is requested. Please check AMCO's website for meeting agenda and waiver 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. Listing more than the one license will not be accepted.

Section 1 – Establishment Information

RECEIVED

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

Licensee:	Yellowstone Investments, LLC	License Number:	2097	10/29/2025
License Type:	BDL	Dept. of Commerce AMCO		
DBA:	No DBA			
Premises Address:	No Premises			
City:	Anchorage	State:	Alaska	ZIP: 99501
Local Governing Body:	Municipality of Anchorage			

Section 2 – Request Number and Calendar Year

1st Request 2nd Request 3rd Request Other 4th Request _____

Request for Calendar Year 2025



Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

Alcohol and Marijuana Control Office

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Section 3 – Reason for Non-operation

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

Transfer of the BDL to NORTHERN HOSPITALITY GROUP II, INC. (an affiliate entity of 49th State Brewing) is still in process.

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 copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.

 FD

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

 FD

Frank A. Dahl

Printed name of licensee

Signature of licensee

RECEIVED

DEC 29 2025

Dept. of Commerce
AMCO

Office Use Only

Waiver Application Fee:	\$10,000.00	Late Fee:	\$1,000.00	Transaction #:	101253565
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Alaska Alcoholic Beverage Control Board



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Phone: 907.269.0350

Form AB-29: Waiver of Operation Application

Why is this form needed?

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 each 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:	Yellowstone Investments LLC	License Number:	2097
License Type:	Beverage Dispensary		
DBA:	Prospectors Pizza		
Premises Address:	2415 C Street		
City:	Anchorage	State:	Alaska
Local Governing Body:	Midtown Community Council	ZIP:	99503

Section 2 – Request Number and Calendar Year

1st Request

2nd Request

3rd Request

Other _____

Request for Calendar Year 2024

6000



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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:

Premises still under construction/ waiting final inspection upon construction completion for AMCO to issue license to transferee. Waiting final drawings and MOA permit approval.

Signature: Frank Dahl
Printed Date: Dec 13, 2024 15:17:09

Email: dazldahl@gmail.com

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.

FD
 ED

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

FD
 ED

Frank Dahl

Printed name of licensee

Frank Dahl

Signature of licensee

Office Use Only

<i>Waiver Application Fee:</i>		<i>Late Fee:</i>		<i>Transaction #:</i>	
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AB-29 Waiver 2024

Final Audit Report

2024-12-02

Created:	2024-12-02
By:	Jason Motyka (jmotyka@nhgalaska.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAbC7JlbSw_aTq84W5EWR4HnfyDrLxhUbi

"AB-29 Waiver 2024" History

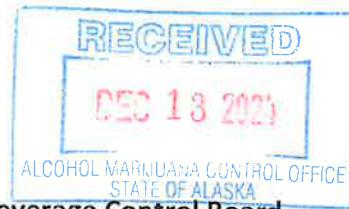
- Created: Document created by Jason Motyka (jmotyka@nhgalaska.com)
2024-12-02 - 10:18:00 PM GMT
- Document emailed to Frank Dahl (dazldahl@gmail.com) for signature
2024-12-02 - 10:18:05 PM GMT
- Email viewed by Frank Dahl (dazldahl@gmail.com)
2024-12-02 - 10:18:59 PM GMT
- Document e-signed by Frank Dahl (dazldahl@gmail.com)
Signature Date: 2024-12-02 - 10:37:03 PM GMT - Time Source: server
- Agreement completed.
2024-12-02 - 10:37:03 PM GMT



Adobe Acrobat Sign



Alaska Alcoholic Beverage Control Board



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Why is this form needed?

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 each 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:	Yellowstone Investments LLC	License Number:	2097		
License Type:	Beverage Dispensary				
DBA:	Prospectors Pizza				
Premises Address:	2415 C Street				
City:	Anchorage	State:	Alaska	ZIP:	99503
Local Governing Body:	Midtown Community Council				

Section 2 – Request Number and Calendar Year

1st Request

2nd Request

3rd Request

Other _____

Request for Calendar Year 2023

3500



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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:

Premises still under construction/ waiting final inspection upon construction completion for AMCO to issue license to transferee. Demo Work Complete.

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.

FD
 FD

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FD
 FD

Frank Dahl

Printed name of licensee

Frank Dahl

Signature of licensee

Office Use Only

Waiver Application Fee:		Late Fee:		Transaction #:	
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AB-29 Waiver 2023

Final Audit Report

2024-12-02

Created:	2024-12-02
By:	Jason Motyka (jmotyka@nhgalaska.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA-J7QVxUh2TaTu4heCOYAVgcNOIWuqUQp

"AB-29 Waiver 2023" History

✉ Document created by Jason Motyka (jmotyka@nhgalaska.com)

2024-12-02 - 10:21:27 PM GMT

✉ Document emailed to Frank Dahl (dazldahl@gmail.com) for signature

2024-12-02 - 10:21:33 PM GMT

✉ Email viewed by Frank Dahl (dazldahl@gmail.com)

2024-12-02 - 10:40:17 PM GMT

✉ Document e-signed by Frank Dahl (dazldahl@gmail.com)

Signature Date: 2024-12-02 - 10:40:58 PM GMT - Time Source: server

❷ Agreement completed.

2024-12-02 - 10:40:58 PM GMT



Adobe Acrobat Sign



Alaska Alcoholic Beverage Control Board

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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:	Yellowstone Investments, LLC	License Number:	2097
License Type:	Beverage Dispensary		
DBA:	No DBA		
Premises Address:	NO PREMISES		
City:	Municipality of Anchorage	State:	Alaska
Local Governing Body:	Municipality of Anchorage		

Section 2 – Request Number and Calendar Year

1st Request

2nd Request

3rd Request

Other _____

Request for Calendar Year 2022



Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

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<https://www.commerce.alaska.gov/web/amco>
Phone: 907.269.0350

Section 3 – Reason for Non-operation

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

No Premises

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.

FD

I hereby certify that I am the person herein named and subscribing to this application and that I have read the complete application, and I know the full content thereof. I declare that all of the information contained herein, and evidence or other documents submitted are true and correct. I understand that any falsification or misrepresentation of any item or response in this application, or any attachment, or documents to support this application, is sufficient grounds for denying or revoking a license/permit. I further understand that it is a Class A misdemeanor under Alaska Statute 11.56.210 to falsify an application and commit the crime of unsworn falsification.

FD

Frank Dahl

Printed name of licensee

R. Dahl

Signature of licensee

Office Use Only

Waiver Application Fee:		Late Fee:		Transaction #:	