



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

Alcohol and Marijuana Control Office

550 West 7th Avenue, Suite 1600

Anchorage, AK 99501

Main: 907.269.0350

MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: January 20, 2026

FROM: Anna White, Licensing Examiner II

RE: 553, Indian House, Mark A. Sollenberger,
4th Waiver of Operations for 2025,
3rd Waiver of Operations for 2024,
2026-2027 Renewal Application

Background: Consideration of the third and fourth waivers is requested for license 553. Information provided in the waiver of operations applications indicated that, the parking lot entrance to the premises location under went construction by State of Alaska DOT&PF to add a bike path along the Seward Highway. These changes affected the drain field for the property. Additionally, there was a break in at the property, the premises was vandalized and plumbing destroyed. These factors, including the licensee's health, have prevented the license from being operated.

Attachments: Memo, 4th Waiver Application for 2025, 3rd Waiver Application for 2024, 2nd Waiver Application for 2023 (approved administratively), 1st Waiver Application for 2022 (approved administratively), 2026-2027 Renewal Application Summary.

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 the fees required under (c) and (i) of this section...



Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

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 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 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

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

Licensee:	Mark A Sollenberge	License Number:	553		
License Type:	Beverage Dispensary - Tourism				
DBA:	Indian House				
Premises Address:	27655 Seward Highway				
City:	Indian	State:	Alaska	ZIP:	99540
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

Section 3 – Reason for Non-operation

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

To date I have been unable to construct the drain field that was removed by the state when they took my highway frontage land and former drain field for a Bike path. (Refer to 2022 and 203 AB-29 * for Indian House * License #553).

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.

M.S.

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.

M.S.

Mark A Sollenberger

Printed name of licensee

MARK
SOLLENBERGER

Signature of licensee

Digitally signed by MARK
SOLLENBERGER
Date: 2025.12.04 02:21:18 -09'00'

Office Use Only

Waiver Application Fee:	\$10,000.00	Late Fee:		Transaction #:	101243614
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Alaska Alcoholic Beverage Control Board

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 $\frac{1}{2}$ 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:	Mark A Sollenberger	License Number:	553		
License Type:	Beverage Dispensary - Tourism				
DBA:	Indian House				
Premises Address:	27655 Seward Highway				
City:	Indian	State:	Alaska	ZIP:	99540
Local Governing Body:	Municipality of Anchorage				

Section 2 – Request Number and Calendar Year

☐ 1st Request ☐ 2nd Request ☒ 3rd Request ☐ Other _____

Request for Calendar Year 2024

#100946555

RECEIVED
OCT 31 2024



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:

Attached are copies of the, "EXPLANATION for 2022 Form AB-29" filed with the 2022 AB 29, and a copy of the 2023 AB-29. These attachments discuss the history and reasons for shutting down and failure to reopen, which basically were caused by the state taking highway frontage land for a Bike path, and my health.

As of January, I have paid \$762, and received health permits, and have filed all monthly and quarterly tax reports with the Municipality. At the close of last year, plans by an engineer to reconstruct the drain field, were approved by State D.E.C. Also, to protect all the water lines, both inside and outside, my plumber drained all the pipes to ensure that the well, water lines, water heater and furnace would be safe from freezing. The building has been without water, sewer & heat since last October 2023.

Plans to reconstruct the drain field were approved by State D.E.C. in 2023. The plans were conceptual but not designed. However, the technology proposed was either not available or practical for construction in Alaska. Also, in April, the building was broken into. Areas of the Building were trashed and all the exposed copper heating and water lines in the furnace room cut and removed. It is not covered by insurance and was reported. The State police no longer patrol the Highway. The APD has been investigating since April. My son in law found out who broke in and reported it. We haven't heard back from the police.

In 2019 the State settled the cost of the Right of Way Acquisition. It was based on 2019 costs and the false premise that the property could be restored (see previous explanations). That was five years ago and as we know, costs have changed. I went to my Bank; they suggested I apply for a commercial state loan after my 2024/25 license is approved.

On a positive side, my near fatal affliction in 2022 has been upgraded to being an old coot. I can still walk, vote and count to ten, have 20-20 vision and fill out this form. Barring any accident, I'll be around for a while. The Indian House is a part of Alaska History and I want it to continue to exist.

I respectfully request approval of this Waiver.

**** I have attached a larger copy of this explanation for your convenience. ****

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.

M.S.

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.

M.S.

Mark A Sollenberger

Printed name of licensee

MARK SOLLNBERGER

Signature of licensee

Office Use Only			
Waiver Application Fee:	\$5000.00	Late Fee:	Transaction #:

RECEIVED
OCT 31 2024

Easier to read Copy * 2024 AB-29: ATTACHMENT**

October 31, 2024

**Subject: 2024 AB-29: Waiver of Operation Application
Section 3 – Reason for Non Operation**

Attached are copies of the, **"EXPLANATION for 2022 Form AB-29"** filed with the 2022 AB 29, and a copy of the **2023 AB-29**. These attachments discuss the history and reasons for shutting down and failure to reopen, which basically were caused by the state taking highway frontage land for a Bike path, and my health.

As of January, I have paid \$762, and received health permits, and have filed all monthly and quarterly tax reports with the Municipality. At the close of last year, plans by an engineer to reconstruct the drain field, were approved by State D.E.C. Also, to protect all the water lines, both inside and outside, my plumber drained all the pipes to ensure that the well, water lines, water heater and furnace would be safe from freezing. The building has been without water, sewer & heat since last October 2023.

Plans to reconstruct the drain field were approved by State D.E.C. in 2023. The plans were conceptual but not designed. However, the technology proposed was either not available or practical for construction in Alaska. Also, in April, the building was broken into. Areas of the Building were trashed and all the exposed copper heating and water lines in the furnace room cut and removed. It is not covered by insurance and was reported. The State police no longer patrol the Highway. The APD has been investigating since April. My son in law found out who broke in and reported it. We haven't heard back from the police.

In 2019 the State settled the cost of the Right of Way Acquisition. It was based on 2019 costs and the false premise that the property could be restored (see previous explanations). That was five years ago and as we know, costs have changed. I went to my Bank; they suggested I apply for a commercial state loan after my 2024/25 license is approved.

On a positive side, my near fatal affliction in 2022 has been upgraded to being an old coot. I can still walk, vote and count to ten, have 20-20 vision and fill out this form. Barring any accident, I'll be around for a while.

The Indian House is a part of Alaska History and I want it to continue to exist. I respectfully request approval of this Waiver. *** I have attached a larger copy of this explanation for your convenience.

RECEIVED

OCT 31 2024

**INDIAN HOUSE * INDIAN * ALASKA
SINCE 1953**

November 16, 2022

To: Alaska Alcoholic Beverage Control Board

From: Mark A. Sollenberger, Owner

Subject: EXPLANATION for 2022 Form AB-29 * Waiver of Operation Application

RE: 2022 Form AB-29 * Section 3 - Reason for Non-operation

Business Name: Indian House * License # 553

Dear Agents and Board Members:

2020 and 2021: This year, when I filed the 2022/23 License Renewal Application (Form AB-17), I included forms AB-30 (Proof of Minimum Operation) for 2020 and an AB 29 (Waiver of Operation) for 2021. The primary reasons for our closure in 2020, were Government ordered shutdowns for the Covid pandemic and the acquisition of my property frontage by the State of Alaska. The right-of-way acquisition was for the purpose of constructing a bike-foot-path on the north side of the Seward Highway. The Indian House property acquired and removed affected: the historic Indian House sign; a parking lot entrance; our roadway and parking lot lighting; and the 120-foot long, iron sanitary sewer drain field tank (the size of 2 transit buses). The drain field tank is mandatory for commercial dining operations.

The reason we could not open in 2021 was a failure to secure a **workable, commercial** drain field permit from the State of Alaska D.E.C. (Department of Environmental Quality). This was caused by communication difficulties, caused in part by the Covid pandemic, and the national Covid circumstances that made manufactured components and construction more difficult and expensive. It was also caused by the landscape of the property with the lot's hillside and the creeks, adjacent to the Indian House. The hill and the creeks cause excessive requirements by the State D.E.C. and makes replacing the water and sewer system very difficult (photo attached). In the summer of 2021, the existing drain field was removed by the State and we were unable to open.

As I stated in the 2021 Form AB-29 * Waiver of Operation Application, after numerous attempts, a new contractor enlisted another engineer to acquire a workable permit. After months of discussion, last year, in **November 2021**, the engineer and the State DEC arrived at a tentative **conceptual agreement** (attached). The estimated costs did not include designs, any delivery cost, construction costs and any other costs included for the facilities that were affected by the right of way take. The revised proposal would substantially increase the 2019 cost estimates, and I would have to borrow more money to proceed. Because the difference between constructing a commercial and residential drain field is an estimated \$175,000, and because the Indian House cannot be in business without the liquor license, **I put the design and construction on hold until the license renewal was approved.**

2022: The House was still closed when I filed the renewal application this year. On February 15 and May 9, I received Temporary Extensions to the license. On May 20, I was sent an EMAIL from the ABC staff requesting further information. I responded on May 31 with the information and was notified that day, that the application was accepted and scheduled to go before the Board on June 28.

During that last week in May when I was responding with additional information, my wife *was in bed with a bad case of Covid*. Then, in the first week of June, I tested positive for Covid and was hospitalized. When I was released from the hospital, I visited my family doctor and within a week I was back in the hospital because of low oxygen levels. When I was released again, they sent me home with an oxygen machine and subscriptions. Once again, I consulted with my doctor for continuing problems, and he found out that I acquired two infections that I got in the hospital. He prescribed that I return to the hospital for treatment. On June 27 (the day before the Board meeting), I again checked into the hospital. That time, I spent 11 weeks in the Hospital and one week in a recovery home, and to the surprise of at least one doctor, returned home on September 12. What a terrible summer! I had a lot of people praying for me and reading my Will. When I received an Insurance statement, as of October 12, my Insurance Company was billed \$499,529.55. I'm still waiting to find out how much they didn't pay.

It took me about a month to catch up on my bills, business and personal life, and I was seeing medical specialists for physical ailments I obtained in the hospital. Since my release I have seen four doctors a total of 10 times, and had three lab tests. I have been BODY X-RAYED, SONIGRAMED and had my HEART PHOTOGRAPHED from the inside. Next week I am seeing the Vascular Surgeon for an operation on my vascular system December 1st. After I recover, (positive thinking) my intention is to proceed with the Indian House future. If my outcome is negative, I'll be a memory and my son Carl G Sollenberger will be in charge of the Indian House.

TO DATE: I would like to complement the ABC staff and express my appreciation for their cooperation and advice I have received concerning my applications. Until I contacted the staff on October 11, I didn't know the status of the license approval. In summary, the reason we did not open in 2022 was that I was too feeble deal with permitting and constructing a new drainage field. As I stated, I am returning to the hospital in December and upon advice of the ABC staff I am filing this FORM AB-29 for the November 2022 meeting. As I previously stated, without the dispensary license, the Indian House will be out of business, and closed forever.

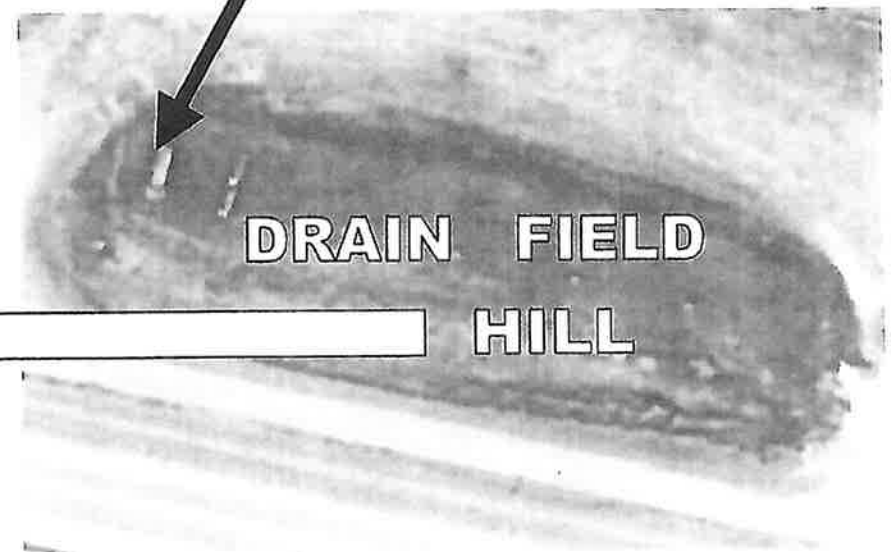
I respectfully request your approval.

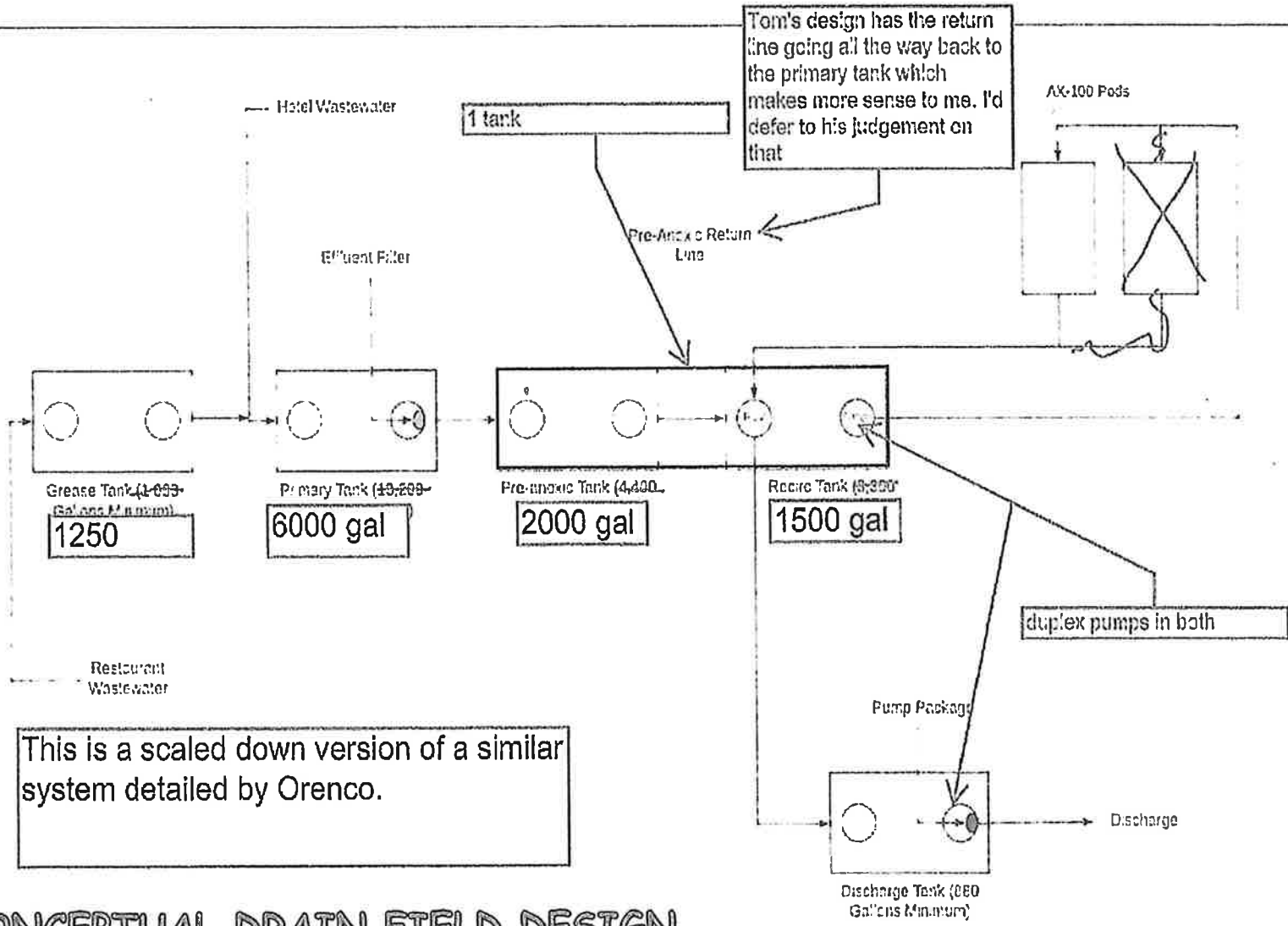
MARK SOLLEN —

MARK A SOLLENBERGER
OWNER

INDIAN HOUSE FRONTAGE 2021 SIGN AND DRAIN FIELD

REMOVED IN 2021





This is a scaled down version of a similar system detailed by Orenco.

CONCEPTUAL DRAIN FIELD DESIGN

Tentative Agreement



This project is the property of Orenco. It is not to be used, copied, or reproduced in any form without the written permission of Orenco. The design is preliminary and subject to change without notice. The design is not a guarantee of performance. The design is not a warranty. The design is not a contract. The design is not a license. The design is not a franchise. The design is not a partnership. The design is not a joint venture. The design is not a consortium. The design is not a collaboration. The design is not a partnership. The design is not a joint venture. The design is not a consortium. The design is not a collaboration.

Conceptual Layout

Created by:
JLH

Project Name:
Alternative #2, AX-100 Pods

tentative conceptual agreement



Alaska Alcoholic Beverage Control Board

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:	MARK A SOLLENBERGER	License Number:	553		
License Type:	BEVERAGE DISPENSARY - TOURISM LICENSE				
DBA:	INDIAN HOUSE				
Premises Address:	27655 SEWARD HIGHWAY				
City:	INDIAN	State:	Alaska	ZIP:	99540
Local Governing Body:	MUNICIPALITY OF ANCHORAGE				

Section 2 – Request Number and Calendar Year

☐ 1st Request ☒ 2nd Request ☐ 3rd Request ☐ Other _____

Request for Calendar Year 2023

#100714841

NOV 14 2023

Approved: *JD* 10/30/24



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:

Attached is a copy of the, "EXPLANATION for 2022 Form AB-29" "filed with the 2022 AB 29, explaining the cause of the initial shut down and closure in 2022. In summary, the State removed my massive drain field for right of way and didn't issue a workable permit to replace it. Also, as explained, I was hospitalized last year.

In anticipation of opening this year, I paid the Municipality \$900 in health permits and filed all monthly and quarterly tax reports. I anticipate paying my 2024 health permits next month. This year, I have been disabled and am limited in my ability to go out. Last October 23, I had surgery and will have to more surgeries in December. The good news is I anticipate a Happy New Year.

Aside from my health limitations, the plans to reconstruct the drain field, approved by State D.E.C., were conceptual and for vary reasons not finalized. Subsequently, we missed the construction season. I am looking for another contractor or engineer for a better design, and I anticipate a need for additional financing.

I respectfully request approval of this waiver.

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.

M.S.

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.

M.S.

MARK A SOLLENBERGER

Printed name of licensee

MARK S

Signature of licensee

Office Use Only

Waiver Application Fee:	2500	Late Fee:		Transaction #:	100714841
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EMAIL DRAFT TO MUNICIPAL CLERK

November 9, 2023

To: Liza Spano * Scheduling & Business License Assistant * Municipal Clerk's Office * Municipality of Anchorage

From: Mark A. Sollenberger * Indian House * Owner

Subject: Indian House. Alaska Liquor Tourism Dispensary License #553 * 2023 Form AB-29 * Waiver of Operation Application

RE: 2023 Form AB-29 * Section 4 - Local Government Notice

Dear Assistant Spano:

As we discussed today, to maintain the liquor license while closed, the State (AMCO) requires that a **Form AB-29 * Waiver of Operation Application** be filed with an additional fee. A condition of that form is that the local government be notified. So, attached is a copy of **Form AB-29** that will be filed with the Alaska Alcohol and Marijuana Control Office. Because tomorrow is the Veteran Day Holiday, I will send you this EMAIL early Monday morning.

For your information, the property of the Indian House legal description is Tract A, Chugach Park View Subdivision, the Tax Id # is 090-04-236-000, and the location address is 27655 Seward Highway, Indian, Alaska. To date all the property taxes have been paid, the Municipal Alcohol Monthly Sales Tax Returns have been filed and the bar and restaurant Health Permits were paid in January and cost \$900.

Please note that the mailing address of the Indian House is different from its highway address.

If you have any questions, please call or EMAIL me.

Have a Happy Thanksgiving.

Yours truly,

MARK S-----

Mark A Sollenberger

Owner

<Liza.spano@anchorageak.gov>

Receipt #
#100714841

AMCO
NOV 14 2023

INDIAN HOUSE * INDIAN, ALASKA * SINCE 1953



#100714847

AMCO
NOV 14 2023



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.

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- for a 2nd or subsequent request, double the amount of the fee paid for the previous waiver application.

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Section 1 – Establishment Information

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

Licensee:	MARK A SOLLENBERGER	License Number:	553		
License Type:	BEVERAGE DISPENSARY - TOURISM				
DBA:	INDIAN HOUSE EATING PLACE				
Premises Address:	27655 SEWARD HIGHWAY				
City:	INDIAN	State:	Alaska	ZIP:	99540
Local Governing Body:	MUNICIPALITY OF ANCHORAGE				

Section 2 – Request Number and Calendar Year

<input checked="" type="checkbox"/> 1 st Request	<input type="checkbox"/> 2 nd Request	<input type="checkbox"/> 3 rd Request	<input type="checkbox"/> Other <u>SEE EXPLANATION</u>
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Request for Calendar Year 2022



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:

SEE ATTACHMENT

Attached is summary information explaining the operation and closures of the Indian House in 2021 and 2022. Briefly, the Indian House was closed starting 2020 because of the Covid government shut downs. Also in 2019 the State acquired 44 feet of right of way, which included the removal of a massive drain field. Because of the Covid crisis and the configuration of the Indian House property, we failed to obtain a State D.E.C. workable permit to construct another drain field in 2021. Although the public Covid caused the initial shut down, last June 3 I contracted Covid and spent all summer in hospitals. I am still receiving medical care and am scheduled to reenter the hospital next month. Because of my illness, I was unable to complete the permit acquisition and construction and we could not open in 2022. Please refer to the attached explanation.

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

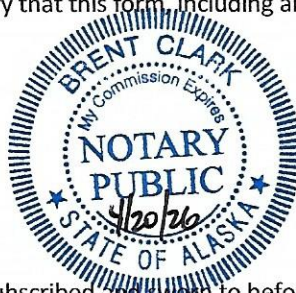
I certify that I will provide a true copy of this application to the local governing body listed on Page 1 of this form prior to ABC Board consideration of this application.

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

Signature of licensee

MARK A SOLLENBERGER

Printed name of licensee


Notary Public in and for the State of Alaska.My commission expires: 4/20/26Subscribed and sworn to before me this 18th day of OCTOBER, 2022.**Office Use Only**

Waiver Application Fee:		Late Fee:		Transaction #:	
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**INDIAN HOUSE * INDIAN * ALASKA
SINCE 1953**

November 16, 2022

To: Alaska Alcoholic Beverage Control Board

From: Mark A. Sollenberger, Owner

Subject: EXPLANATION for 2022 Form AB-29 * Waiver of Operation Application

RE: 2022 Form AB-29 * Section 3 - Reason for Non-operation

Business Name: Indian House * License # 553

Dear Agents and Board Members:

2020 and 2021: This year, when I filed the 2022/23 License Renewal Application (Form AB-17), I included forms AB-30 (Proof of Minimum Operation) for 2020 and an AB 29 (Waiver of Operation) for 2021. The primary reasons for our closure in 2020, were Government ordered shutdowns for the Covid pandemic and the acquisition of my property frontage by the State of Alaska. The right-of-way acquisition was for the purpose of constructing a bike-foot-path on the north side of the Seward Highway. The Indian House property acquired and removed affected: the historic Indian House sign; a parking lot entrance; our roadway and parking lot lighting; and the 120-foot long, iron sanitary sewer drain field tank (the size of 2 transit buses). The drain field tank is mandatory for commercial dining operations.

The reason we could not open in 2021 was a failure to secure a **workable, commercial** drain field permit from the State of Alaska D.E.C. (Department of Environmental Quality). This was caused by communication difficulties, caused in part by the Covid pandemic, and the national Covid circumstances that made manufactured components and construction more difficult and expensive. It was also caused by the landscape of the property with the lot's hillside and the creeks, adjacent to the Indian House. The hill and the creeks cause excessive requirements by the State D.E.C. and makes replacing the water and sewer system very difficult (photo attached). In the summer of 2021, the existing drain field was removed by the State and we were unable to open.

As I stated in the 2021 Form AB-29 * Waiver of Operation Application, after numerous attempts, a new contractor enlisted another engineer to acquire a workable permit. After months of discussion, last year, in November 2021, the engineer and the State DEC arrived at a tentative conceptual agreement (attached). The estimated costs did not include designs, any delivery cost, construction costs and any other costs included for the facilities that were affected by the right of way take. The revised proposal would substantially increase the 2019 cost estimates, and I would have to borrow more money to proceed. Because the difference between constructing a commercial and residential drain field is an estimated \$175,000, and because the Indian House cannot be in business without the liquor license, I put the design and construction on hold until the license renewal was approved.

2022: The House was still closed when I filed the renewal application this year. On February 15 and May 9, I received Temporary Extensions to the license. On May 20, I was sent an EMAIL from the ABC staff requesting further information. I responded on May 31 with the information and was notified that day, that the application was accepted and scheduled to go before the Board on June 28.

During that last week in May when I was responding with additional information, my wife *was in bed with a bad case of Covid*. Then, in the first week of June, I tested positive for Covid and was hospitalized. When I was released from the hospital, I visited my family doctor and within a week I was back in the hospital because of low oxygen levels. When I was released again, they sent me home with an oxygen machine and subscriptions. Once again, I consulted with my doctor for continuing problems, and he found out that I acquired two infections that I got in the hospital. He prescribed that I return to the hospital for treatment. On June 27 (the day before the Board meeting), I again checked into the hospital. That time, I spent 11 weeks in the Hospital and one week in a recovery home, and to the surprise of at least one doctor, returned home on September 12. What a terrible summer! I had a lot of people praying for me and reading my Will. When I received an Insurance statement, as of October 12, my Insurance Company was billed \$499,529.55. I'm still waiting to find out how much they didn't pay.

It took me about a month to catch up on my bills, business and personal life, and I was seeing medical specialists for physical ailments I obtained in the hospital. Since my release I have seen four doctors a total of 10 times, and had three lab tests. I have been BODY X-RAYED, SONIGRAMED and had my HEART PHOTOGRAPHED from the inside. Next week I am seeing the Vascular Surgeon for an operation on my vascular system December 1st. After I recover, (positive thinking) my intention is to proceed with the Indian House future. If my outcome is negative, I'll be a memory and my son Carl G Sollenberger will be in charge of the Indian House.

TO DATE: I would like to complement the ABC staff and express my appreciation for their cooperation and advice I have received concerning my applications. Until I contacted the staff on October 11, I didn't know the status of the license approval. In summary, the reason we did not open in 2022 was that I was too feeble deal with permitting and constructing a new drainage field. As I stated, I am returning to the hospital in December and upon advice of the ABC staff I am filing this FORM AB-29 for the November 2022 meeting. As I previously stated, without the dispensary license, the Indian House will be out of business, and closed forever.

I respectfully request your approval.

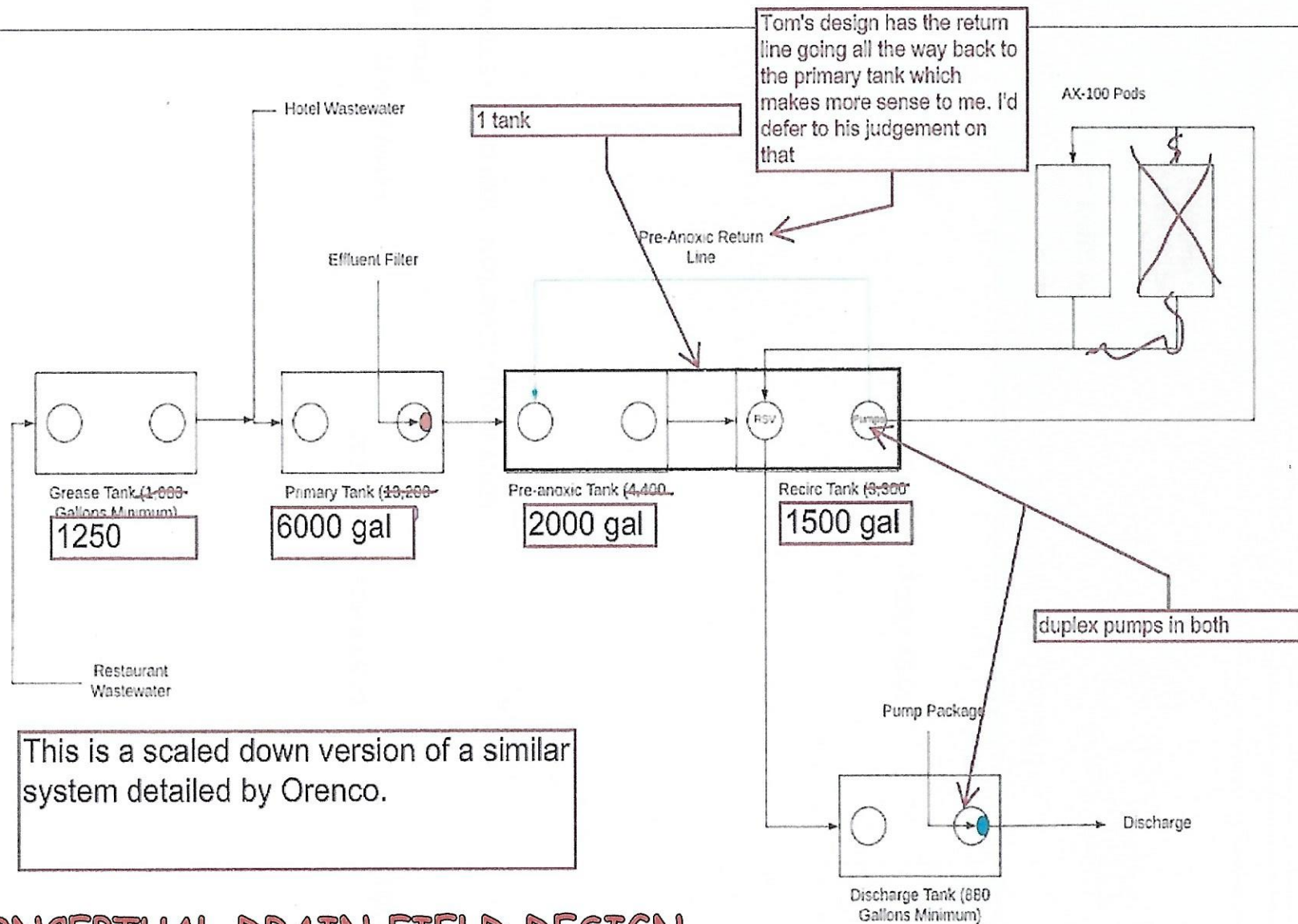
MARK SOLLEN —

MARK A SOLLENBERGER
OWNER

INDIAN HOUSE FRONTAGE 2021 SIGN AND DRAIN FIELD

REMOVED IN 2021





CONCEPTUAL DRAIN FIELD DESIGN

Tentative Agreement



This Proposed System Configuration Drawing is provided solely as a design aid and illustrates one possible configuration of a system that would comply with Orenco's design criteria for the requirements and/or specifications that have been communicated to Orenco (based on third party standards testing protocols and performance reports, as applicable). Design decisions, including the actual layout and configuration of the system and its viability for the project, are at the sole discretion of the system's designer.

Conceptual Layout

Created by:
JLH

Project Name:
Alternative #2, AX-100 Pods

tentative conceptual agreement



Document reference ID : 6709

Renewal Application Summary

Application ID:	6709
License No:	553
License Type applied for Renewal:	Beverage Dispensary Tourism License (BDTL)
Licensee Name:	Mark A Sollenberger
License Expiration Date:	12/31/2025
Doing Business As:	Indian House
Premises Address:	27655 Seward Highway , Indian, AK, 99540
Application Status:	In Review
Application Submitted On:	12/04/2025 03:16 AM AKST

Entity Information

Business Structure:	Sole proprietorship
FEIN/SSN Number:	<div></div>
Alaska Entity number (CBPL):	
Alaska Entity Formed Date:	
Home State:	

Entity Contact Information

Entity Address:



Local Government and Community Council Details

City/Municipality:

Anchorage (Municipality of)

Community Council Name:

Turnagain Arm

Renewal Information

Are there any changes to your ownership structure that have not been reported to AMCO prior to this application?:

No

As set forth in AS 04.11.330, how many hours did you operate during the first calendar year for this renewal period?:

The license was not operated at all or was operated for less than the minimum of 240 hours in the first calendar year of the renewal period.

I have completed a Waiver of Operations self-service transaction.

As set forth in AS 04.11.330, how many hours did you operate during the second calendar year for this renewal period?:

The license was not operated at all or was operated for less than the minimum of 240 hours in the second calendar year of the renewal period.

I have completed a Waiver of Operations self-service transaction.

Please select the seasonality:

Year-round

Has any person or entity in this application been convicted or disciplined for a violation of Title 04, 3 AAC 304 or 305, or a local ordinance adopted under AS 04.21.010 in the preceding two calendar years?I:

No

Have any notices of violation or citations been issued for this license during the preceding two years?:

No

Tourism Statement

Explain how issuance of a alcoholic beverage license at your establishment has/will encourage tourism.

The Indian House is a Tourist attraction. The Indian House features a breathtaking view of the Turnagain Arm, where you can see the whales run and watch the Bore Tides. The view includes the community of Hope in the Resurrection Creek Valley, Sunrise Mountain and the 20-mile creek valley (where Sunrise Community once existed). We provide binoculars for guests to see Hope, the whales, and the doll sheep that have on the mountain behind the building. The view described is on north shore of the Kenai Peninsula, and is where Captain Cook, in 1776 turned back because it did not lead to the Northwest Passage. Also the area was rich with tales of gold mining and railroad construction in the turn of the last century. We are extremely proud of our view. The house and the view is designed to be family friendly. This attracts both tourists and Alaskans. In addition, Anchorage area residents bring their visiting guests to experience this scenic, historic part of Alaska, or use it as a destination when they just want to get out of town. Besides the view, the House has historic photos, some artifacts, and coin collections left by tourists in the last century. The inside is quite picturesque and Museum like. In general, people take pictures outside from the deck and of the inside of the building.

Explain how the facility was/will be constructed or improved as required by AS 04.11.400(d)(1)

The Indian House building is sided with rustic logs from the Turnagain area. The ceiling and walls in the front area of the building is constructed with wooden slats and boards milled in the Bird Creek Sawmill in the last century. A wall divides the lounge and restaurant so that the restaurant area can be more family oriented. Dining is available in both areas. Also, the front of the building has a very large deck. The facility has three restrooms, which includes a handicap restroom. There are eight picture windows in the restaurant/lounge area that are vintage Alaska Railroad passenger car windows. There is also a small, alcohol free, outside dining/picnic area.

Does the licensee or applicant for this liquor license also operate the tourism facility in which this license is located?

Yes

Do you offer room rentals to the traveling public?

Yes

How many rooms are available?

10

How many of the available rooms (if any) have kitchen facilities (defined as: a separate sink for food preparation along with refrigeration and cooking appliance devices, including a microwave)? 0

Do you stock or plan to stock alcoholic beverages in guest rooms? No

Is your facility located within an airport terminal? No

If your establishment includes a dining facility, please describe that facility. If it does not please write “none”.

The Indian House is basically a family style restaurant with a lounge. Our restaurant is generally our primary revenue producer during the tourist season and our busy periods.

If additional amenities are available to your guests through your establishment (eg: guided tours or trips, rental equipment for guests, other activities that attract tourists), please describe them. If they are not offered, please write “none”.

Adjacent to the restaurant is a gift shop. In the gift shop we provide items made by Alaskans in the neighborhoods around Indian from Seward to Hope and even Anchorage on a commission basis. Some Alaskan art, and brochures of tourist’s activity are also available. Also we have maps available for the Seward Highway area and Kenai Peninsula. The staff also provides directions to different areas on the Kenai Peninsula and stories of the area, like the name of the mountains and other places to see.

Attestations

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 305, and that this application, including all accompanying schedules and statements, are true, correct, and complete.

I agree to provide all information required by the Alcoholic Beverage Control Board or requested by 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 and the license being potentially expired if I do not comply with statutory or regulatory requirements.

I certify that in accordance with AS 04.11.450, no one other than the licensee(s), as defined in AS 04.11.260, has a direct or indirect financial interest in the licensed business.

I certify that this entity is in good standing with Corporations, Business and Professional Licensing (CBPL) and that all entity officials and stakeholders are current and I have provided AMCO with all

required changes of the ownership structure of the business license and have provided all required documents for any new or changes of officers.

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check identification of patrons 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, if applicable for this license type as set forth in AS 04.21.025 and 3 AAC 305.700.

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.

Signature

This application was digitally signed by : Mark A Sollenberger on 12/04/2025 03:19 AM AKST

Payment Info

Payment Type : CC

Payment Id: e130c316-607c-4477-aff7-a37c9a4f1b35

Receipt Number: 101216354

Payment Date: 12/04/2025 03:36 AM AKST

Documents

#	File Name	Type	Added On
1	X 2025 AB-29 Waiver of Operations.pdf	Renewal Additional Document	12/04/2025 03:17 AM
