



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: November 18, 2025

FROM: Anna White, Licensing Examiner II

RE: 3607 dba Mak Investors, Mak Investors, LLC,
3rd Waiver of Operations 2024,
4th Waiver of Operations 2025,
2025-2026 Renewal Application

Background: This is the third and fourth waivers requested for this license. A transfer of ownership and location was approved with delegation at the June 2024 Board meeting but was protested by the Municipality of Anchorage in July of 2024. Renovations in the new location have yet to be completed thus holding up the effectuation of the Transfer and operations of the license.

Attachments: Memo, 4th Waiver Application for 2025 with progress photos of renovations, 3rd Waiver Application for 2024, 2nd Waiver Application for 2023 (approved administratively), and 1st Waiver Application for 2022 (approved administratively), and 2025-2026 Renewal.

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; or (2) the licensee holds a common carrier dispensary license and is a boat weighing over 1,000 tons;

(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.

(k) If a license is exercised only to satisfy the minimum operating requirement under [AS 04.11.330\(a\)\(3\)](#) or [3 AAC 305.110](#), a licensee shall operate in a similar fashion to other licensed premises of the same type by meeting the following operating requirements as appropriate for the license type: (1) provide signage of sufficient size and visibility to show that the premises is open for business, including the business name and hours of operation; (2) offer a variety of brewed beverages, wines, and distilled spirits for sale at the licensed premises, as appropriate to the type of license, (3) for a licensed package store premises, visibly display the alcoholic beverages stock; (4) for a beverage dispensary licensed premises, provide seating for at least one-half of the maximum number allowed by the occupancy permit; (5) comply with all state or municipal health, fire, and zoning laws or ordinances required for the operation of business; (6) maintain a record of all purchases of alcoholic beverages for resale on the licensed premises; and (7) record sales with a cash register or point of sale system that retains a record of transactions.

(l) The licensee has the burden of proof to show that the licensed premises were operated for the minimum required period of time and met the operating requirements under (k) of this section. The licensee may provide receipts, invoices, photographs, permits, timecards, and other records to meet the burden of proof. If the licensee fails to provide proof that one or more of the operating requirements was met, the board may consider additional documentation provided by the licensee to determine whether the licensee has met the burden of proof.

(m) If a new license is issued between November 20 and December 31, the licensee is exempt from filing a waiver of annual operating requirement for that year.



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:	Mak Investors, LLC	License Number:	3607		
License Type:	Beverage Dispensary License				
DBA:	Mak Investors				
Premises Address:	No Premises				
City:	Anchorage	State:	Alaska	ZIP:	
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:

License is currently at No Premises. A Transfer application was submitted 1/26/2024 with AMCO to change ownership to A&R LLC dba King Crab Bar & Grill to be located at 509 West 3rd Ave, Anchorage, AK 99501. The Transfer was approved with delegation at the June 25th, 2024 ABC Board meeting. The Transfer was protested by the Municipality of Anchorage (MOA). The Transferee is finishing renovations of the location and working with MOA to get the Protest lifted.

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.

DS
AM III

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.

DS
AM III

Anthony Marnell III

Printed name of licensee

DocuSigned by:

Anthony Marnell III

4D28E103C38440E...

Signature of licensee

Office Use Only

Waiver Application Fee:	\$10,000	Late Fee:	N/A	Transaction #:	101175200
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White, Anna I H (CED)

From: michael Bullock <michael@advantagegrowthcapital.com>
Sent: Friday, November 7, 2025 2:32 PM
To: CED ABC Alcohol Licensing (CED sponsored)
Cc: michael Bullock
Subject: Fw: Photos Commerce Building Restaurant Photos

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Anna

You don't often get email from michael@advantagegrowthcapital.com. [Learn why this is important](#)

CAUTION: This email originated from outside the State of Alaska mail system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Commerce Restaurant photos

Michael Bullock

Advantage Growth Capital, CEO

907.529.6802

P.O Box 241122

Anchorage, Alaska 99524

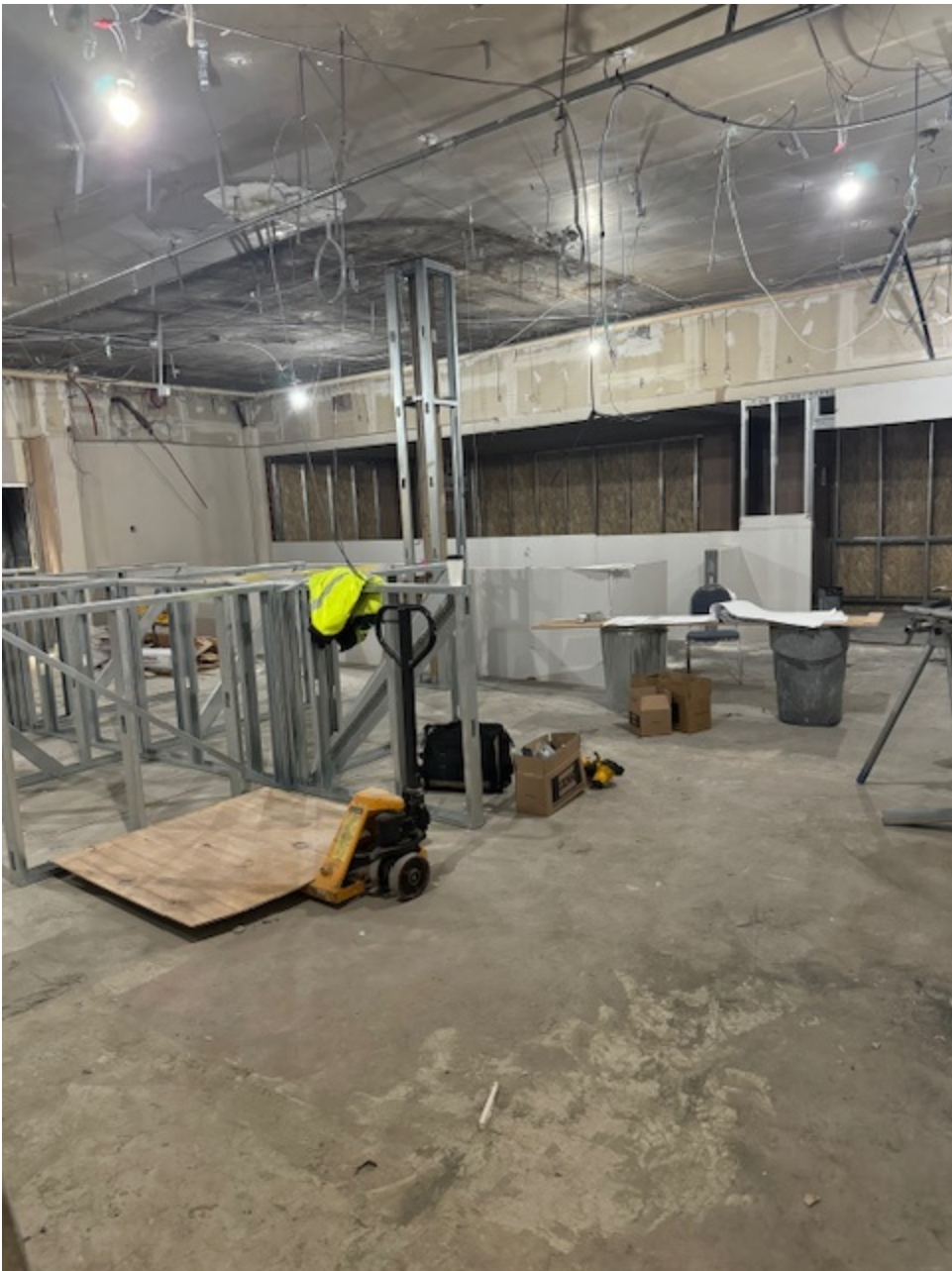
<http://www.advantagegrowthcapital.com>

Send payment: pay.advantagegrowthcapital.com

From: Mike Bullock <marathon@gci.net>
Sent: Friday, November 7, 2025 2:23 PM
To: michael Bullock <michael@advantagegrowthcapital.com>
Subject: Photos











Sent from my iPhone



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:	Mak Investors, LLC	License Number:	3607		
License Type:	Beverage Dispensary License				
DBA:	Mak Investors				
Premises Address:	No Premises				
City:	Anchorage	State:	Alaska	ZIP:	
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



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:

License is currently at No Premises. A Transfer application was submitted 1/26/2024 with AMCO to change ownership to A&R LLC dba King Crab Bar & Grill to be located at 509 West 3rd Ave, Anchorage, AK 99501. The Transfer was approved with delegation at the June 25th, 2024 ABC Board meeting. The Transfer was protested by the Municipality of Anchorage and are waiting on the Transferee to do what is needed to get the protest lifted.

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.

DS
AM III

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.

DS
AM III

Anthony Marnell III

Printed name of licensee

DocuSigned by:

Anthony Marnell III

4D28F103C38440E...

Signature of licensee

Office Use Only

Waiver Application Fee:	\$5,000	Late Fee:	\$1,000	Transaction #:	101160008
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AMCO
OCT 20 2023

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

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:	MAK Investors, LLC	License Number:	3607		
License Type:	Beverage Dispensary				
DBA:	MAK Investors				
Premises Address:	No Premises				
City:	Anchorage	State:	Alaska	ZIP:	
Local Governing Body:	MOA				

Section 2 – Request Number and Calendar Year

1st Request 2nd Request 3rd Request Other _____

Request for Calendar Year 2023



AMCO
OCT 20 2023

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:

The Licensee is looking to sell the license and has a potential buyer.

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.

al

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.

al

Anthony Marnell

Printed name of licensee

Signature of licensee

Office Use Only

Waiver Application Fee:	2500-	Late Fee:	⊕	Transaction #:	100684715
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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 1/3 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:	Mak Investors, LLC	License Number:	3607
License Type:	Beverage Dispensary		
DBA:	Mak Investors		
Premises Address:	No Premises		
City:	Anchorage	State:	Alaska
		ZIP:	
Local Governing Body:	MOA		

Section 2 – Request Number and Calendar Year

- 1st Request
 2nd Request
 3rd Request
 Other _____

Request for Calendar Year 2022

AMCO

DEC 05 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:

Just completed the transfer of the license and looking for a location to place the license.

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:

AMCO 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.

AMCO

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

Anthony Marnell

*State of Nevada
County of Clark*

Lisa Gorden

Signature of licensee

Anthony Marnell

Printed name of licensee



Lisa Gorden
NOTARY PUBLIC
STATE OF NEVADA
Appt. No. 02-77274-1 My commission expires: 08/22/2026

Notary Public in and for the State of Alaska: *MW*

My commission expires: *8/22/2026*

Subscribed and sworn to before me this *31st* day of *October*, 20*22*

Office Use Only

Waiver Application Fee:	<i>2500</i>	Late Fee:	<i>500</i>	Transaction #:	<i>100520704</i>
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AMCO