



MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: April 3, 2025

FROM: Kristina Serezhenkov,
Local Government Liason

RE: 5994 Aviator, Beverage Dispensary
Tourism License, 3rd Waiver of
Operations and 2024-2025 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 the 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.

Background:

Licensee has two active licenses both at the same premises location:

#5994 Beverage Dispensary Tourism (made active 4/2022)

#6043 Brewery Manufacturer (made active 4/2023 as a 'Brewpub' license)

This is the third waiver requested for license #5994. The renewal application is for 2024-2025 and includes the first (calendar year 2022) and second (calendar year 2023) waivers. This third waiver is for calendar year 2024 and is outside the 24-25 renewal process. Licensee cites construction delays.

Consideration:

This license, as well as its Duplicate Beverage Dispensary Tourism license #6010, were effectuated (made active) in April of 2022. The process at that time included activating the licenses and then they (#5994 and #6010) were sent to enforcement for inspection and final delivery to the licensee upon passing the inspection. **The licensee never arranged for inspection with enforcement of either license due to delayed construction on the premises. The licenses were ultimately not delivered by enforcement.** The active status of license #5994 allowed the licensee to also apply for and receive a Brewpub license which followed the same trajectory and was 'made active' April 2023.

With the advent of the new Title 4 on 1/1/2024, the Duplicate Beverage Dispensary Tourism license, #6010, converted into a multiple fixed counter attached to the primary Beverage Dispensary Tourism license #5994. The Brewpub license, #6043, was converted into a Brewery Manufacturer License with the right (as a former 'active' Brewpub) to add a brewery repackaging endorsement.

Attachments:

3rd waiver for calendar year 2024 license #5994

2nd waiver for calendar year 2023 license #5994

1st waiver for calendar year 2022 license #5994

2024 - 2025 Renewal application license #5994



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:	Alaska Hotel Group	License Number:	5994		
License Type:	BDTL				
DBA:	Aviator				
Premises Address:	239 W 4th Ave				
City:	Anchorage	State:	Alaska	ZIP:	99501
Local Governing Body:					

Section 2 – Request Number and Calendar Year

1st Request 2nd Request 3rd Request Other _____

Request for Calendar Year 2024



REG#101009930



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:

construction not 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.

MB

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.

MB

Mark Begich

Printed name of licensee

Mark Begich

Signature of licensee

Office Use Only

Waiver Application Fee:		Late Fee:		Transaction #:	
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Alaska Alcoholic Beverage Control Board

Form AB-29: Waiver of Operation Application

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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.

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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:	Alaska Hotel Group	License Number:	5994		
License Type:	BDTL				
DBA:	Aviator				
Premises Address:	239 W 4th Ave				
City:	Anchorage	State:	Alaska	ZIP:	99501
Local Governing Body:					

Section 2 – Request Number and Calendar Year

1st Request 2nd Request 3rd Request Other _____

Request for Calendar Year 2023

RECEIVED
 JAN 3 2023

rec# 101009930



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:

construction not complete.

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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.

MB

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.

MB

Mark Begich

Printed name of licensee

Signature of licensee

Office Use Only

Waiver Application Fee:		Late Fee:		Transaction #:	
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RECEIVED
JAN 3 2025

Waiver of Operation

Selected License Information

License Number

5994

Trade Name

Aviator

Location Address

**239 West 4th Avenue,
Anchorage, Muni. of, AK**

Request Count

1

Operating Year

2022

Provide an explanation as to why the licensed premise was not operated.

Construction not complete.

Attestations

I certify that I have provided adequate notice to the local governing body on file prior to ABC Board consideration of this application.

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 Begich on 12/23/2024 11:28 AM

Tourism Statement
Alaska Hotel Group, 239 W. 4th Avenue, LP

1. Explain how the issuance of a liquor license at your establishment has/will encourage tourism.

The central focus of the business plan for the Aviator involves catering to out of town tourists, offering them clean, comfortable, and affordable accommodation with all the amenities any traveler would expect and prefer to see in their hotel, including a welcoming environment for the guests to eat and drink.

Aviator will also be serving beers, wines, and spirits as possible, giving our guests an opportunity to try Alaska-made products.

Explain how the facility was/will be constructed or improved in accordance with this application.

This facility is located at 239 W. 4th Avenue, Anchorage, Alaska 99501. As such it is ideal for travelers who want a comfortable overnight stay in a clean, comfortable, location conveniently located in beautiful Anchorage downtown area. The hotel has annual upgrades to include painting, repairs, etc.

2. Who operates the facility for which a liquor license is being applied?

Mash, LLC is the general partner of whom Mark Begich is the affiliate and Sheldon Fisher is a limited partner of Alaska Hotel Group, 239 W. 4th Avenue, LP, and will operate the facility. Mark and Sheldon and staff are dedicated to serving alcohol in a responsible manner, while providing a fun and friendly environment to our out of state guests.

3. Do you offer room rentals to the traveling public? Yes.

4. If so, how many of these rooms are available? Do any of the rental rooms have kitchen facilities (defined as: a separate sink for food preparation along with refrigeration and cooking appliance devices, including a microwave)? If yes, how many of the rental rooms have kitchen facilities that meet this definition? Do you stock alcoholic beverages in guest rooms?

There are **251 rooms** for rent at the Aviator. There will be 5 rooms that will have separate sinks, microwaves, and refrigeration. No rooms are equipped with alcoholic beverages.

5. Does your establishment include a dining facility?

Yes. Aviator will offer breakfast, lunch, and dinner daily in a comfortable setting as well as via room service.

6. Are additional amenities available to your guests through your establishment (eg: guided tours or trips, rental equipment for guests, other activities that attract tourists)?

Yes, Aviator does provide tourist type amenities to its guests such as a Fitness Center. We recommend tours, and have a list on our website of close by tours, trips, and rentals, for our guests. Aviator will continue to operate the facility as a tourist facility.

In short, all of those things, which are routinely done by businesses in Alaska to encourage tourism, will continue to be done by the operators of the facility.

License Renewal

License Number:
5994

License Expiration Date:

License Trade Name:
Aviator

Mailing Address:
445 E 5th Ave
Anchorage , AK
99501 - 2634

Subordinates

Drag a column header and drop it here to group by that column

Select	License Number	License Type	Trade Name	License Status	City
6010	6010	Multiple Fixed Counter Endorsement (MFCE)	Aviator	Active	Anchorage, Muni. of

1

5 items per page 1 - 1 of 1 items

Is this application being made by you for the benefit of someone else? If "YES," indicate below or attach explanation.

No

Has the applicant, applicant's spouse, partner, officer, director or stockholders, of the licensed entity become disqualified by law or by facts and conditions from holding a license or permit under the Alcohol and Cannabis Control Information System Alcoholic Beverage Code ? If "YES," indicate below or attach explanation.

No

Have there been changes since your original application that have not been reported on this or previous applications ? If "YES," indicate below or attach explanation.

No

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

Less than 240 hours or not operated at all

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

Less than 240 hours or not operated at all

AMCO Received 2/27/2025

Please select the seasonality

No

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?

No

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

No

Signature

Electronic Signature not collected; application submitted based on paper form.



Document reference ID : 1189

Licensing Application Summary

Application ID: 1189

Applicant Name: Alaska Hotel Group 239 W 4th Avenue Lp

License Type applied for: Beverage Dispensary Tourism License (BDTL) (AS 04.09.350)

Application Status: In Review

Application Submitted On: 12/12/2023 04:38 PM

Entity Information

Business Structure: Limited partnership

Alaska Entity Number (CBPL): 10139792

Entity Contact Information

Entity Address: 445 E 5th Avenue, Anchorage, AK, 99501, USA

Ownership / Principal Party Details

Principal Parent Entity	Principal Party	Role	%Ownership
Alaska Hotel Group 239 W 4th Avenue Lp	Grizzly Investments Llc	Officer	10.96
Alaska Hotel Group 239 W 4th Avenue Lp	Mash Llc	Officer	20
Alaska Hotel Group 239 W 4th Avenue Lp	Sheldon A. Fisher	Officer	10.96
Alaska Hotel Group 239 W 4th Avenue Lp	Mark P. Begich	Officer	10.96
Alaska Hotel Group 239 W 4th Avenue Lp	Steven And Karen Compton	Officer	10.96

AMCO Received 2/27/2025

Premises Address

Address: 239 West 4th Avenue, Anchorage, Muni. of, AK, USA

Does the proposed site include a valid street address? Yes

Basic Business information

Business/Trade Name: Aviator

Local Government and Community Council Details

City/Municipality Anchorage (Municipality of)

Community Council Name Downtown

Attestations

I certify that all proposed licensees (as defined in AS 04.11.260) and affiliates have been listed on this application.

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

I certify that all licensees, agents, and employees who sell or serve alcoholic beverages or check the identification of a patron will complete an approved alcohol server education course, if required by AS 04.21.025, and, while selling or serving alcoholic beverages, will carry or have available to show a current course card or a photocopy of the card certifying completion of approved alcohol server education course, if required by 3 AAC 305.700.

I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.

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.

I certify that all proposed licensees have been listed with Division of Corporation, Business, and Professional Licensing.

I certify that I and any individual identified in the business entity ownership section of this application, has or will read AS 04 and its implementing regulations.

The proposed changes conform to all applicable public health, fire, and safety laws.

Signature

Electronic Signature not collected; application submitted based on paper form.

Payment Info

Payment Type : CC

Payment Id: a32d481f-f87e-40fb-a7c6-65baab763d87

Receipt Number:

Payment Date: 12/12/2023 4:39:06 PM

Documents

#	File Name	Type	Added On
1			
2			
3			
4			
5			
6			
