



## MEMORANDUM

TO: Alcoholic Beverage Control Board

DATE: October 22, 2021

FROM: Kristina Serezhenkov, OLE

RE: #5984 Divots Golf

**Requested  
Action:**

New Golf Course license consideration and hold an informal hearing and deny the new license application with 180-day abeyance period.

**Statutory &  
Regulation  
Authority:**

AS 04.06.090(b): "The board shall review all applications for licenses made under this title and may order the director to issue, renew, revoke, transfer, or suspend licenses and permits authorized under this title."

AS 04.11.115(f): "In this section, (1) "golf course" means a course, having at least nine holes and covering at least 2,950 yards, that is open to the public; and (2) "licensed premises" includes building located on the golf course or a vending cart designed to carry beverages or food located on the golf course."

AS 04.11.510(b)(1): "if an application is denied, the notice of denial shall be furnished the applicant immediately in writing stating the reason for the denial in clear and concise language; the notice of denial must inform the applicant that the applicant is entitled to an informal conference with either the director or the board, and that, if not satisfied by the informal conference, the applicant is then entitled to a formal hearing conducted by the office of administrative hearings (AS 44.64.010); if the applicant requests a formal hearing, the office of administrative hearings shall adhere to AS 44.62.330 — 44.62.630 (Administrative Procedure Act); all interested persons may be heard at the hearing and unless waived by the applicant and the board, the formal hearing shall be held in the area for which the application is requested"

3 AAC 304.145(h) "The board may uphold a protest of an application or continued operation with a single abeyance period not to exceed 180 days if the local governing body indicates that the protest is subject to rescission and that it will be withdrawn if the applicant meets conditions set by the local governing body. If the local governing body notifies the board within the period of the abeyance that the protest has been removed, the application or continued operation is approved when all other applicable requirements have been met. If the local governing body has not notified the board within the period of the abeyance that it has removed the protest, the application or continued operation is denied. The period of abeyance may not be extended or renewed."

**Background:** This application is for a new golf course license in the Municipality of Anchorage. AS 04.11.115(f) requires a golf course to have at least nine holes and cover at least 2,950 yards. The applicant wishes to make the case that the nine holes and 2,950 yards referred to in Statute may include 'virtual holes' and 'virtual yards' accessed via electronic golf simulators located within a building.

On October 13, 2021, the Municipality of Anchorage protested the new license application pending approval of special

land use permit by the Assembly and certifications from the Building Safety Official and the Anchorage Health Department.

**Staff Recommendation:** Review application and consider if it meets the requirements of AS 04.11.115(f) and if the board agrees that it does, hold an informal hearing and deny the application with 180-day abeyance period.

**Attachment:**

Municipality of Anchorage Protest

Applicant Letter

AB-00

AB-02



# Municipality of Anchorage

P.O. Box 196650 Anchorage, Alaska 99519-6650 Telephone: (907) 343-4316 Fax: (907) 249-7533 [www.muni.org/clerklicensing](http://www.muni.org/clerklicensing)

## Office of the Municipal Clerk Licensing

October 13, 2021

Ms. Carrie Craig  
Alaska Alcohol and Marijuana Control Office  
550 W 7<sup>th</sup> Ave. Ste. 1600  
Anchorage, Alaska 99501



RE: Anchorage Assembly Action on Liquor Licenses

Dear Ms. Craig:

The Anchorage Municipal Assembly at its regular meeting on **October 12, 2021**, took the following final actions:

### **WAIVE OF PROTEST**

#### **Renewal Liquor License**

- **Restaurant/Eating Place**  
Gumbo House LL#5823 – AM 633-2021

### **PROTEST**

#### **New Liquor License**

- **Restaurant/Eating Place**  
Alaskan Burger & Brew LL#5987 – AR 2021-337  
Pending certifications from the Building Safety Official, Anchorage Health Department and Anchorage Fire Department.  
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the October 12, 2021, Assembly Meeting.

#### **Renewal Liquor License**

- **Restaurant/Eating**  
Noodle World Alaska LL#5191 – AR 2021-338  
Pending certification from the Anchorage Fire Department.  
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the October 12, 2021, Assembly Meeting.

#### **New Liquor License**

- **Golf Course**  
Divots Golf LL#5984 – AR 2021-339  
Pending approval of Special land use permit by the Assembly and certifications from the Building Safety Official and Anchorage Health Department.  
-Per 3 AAC 304.145(d) the applicant was given the opportunity to defend their application by public hearing at the October 12, 2021, Assembly Meeting.

If you require additional information or if I can be of any assistance, please call me.

Cordially,

**Kiana Belser**

Digitally signed by Kiana Belser  
Date: 2021.10.13 11:22:58  
-08'00'

Kiana Belser  
Business License Specialist

CC: Business Owners – Via Email





To Whom it May Concern:

My selection of applying for a Golf Course license is because even though Divots Golf is an indoor golf simulation business, the product and intent is golfing real golf courses from around the world. Below you will see a list of courses available at Divots Golf, and it clearly meets the requirements for Sec. 04.11.115.(f), stating that the course must have at least 9 holes and cover 2,950 yards. Customers hit actual golf balls with golf clubs and follow the course hole by hole. After research and a thorough review of all applicable sections of AS04 and newly effective 3A AAC04 regulations, I did not believe Divots Golf fits under any other license type more so than a Golf License.

Thank you for your consideration.

Victoria Hofmann  
Owner, Divots Golf



Alaska Alcoholic Beverage Control Board

## Form AB-00: New License Application

### What is this form?

This new license application form is required for all individuals or entities seeking to apply for a new liquor license. Applicants should review **Title 04** of Alaska Statutes and **Chapter 304** of the Alaska Administrative Code. All fields of this form must be completed, per AS 04.11.260 and 3 AAC 304.105.

This form must be completed and submitted to AMCO's main office, along with all other required forms and documents, before any license application will be considered complete.

### Section 1 – Establishment and Contact Information

Enter information for the business seeking to be licensed.

Licensee:	VMH Enterprises LLC				
License Type:	Golf Course	Statutory Reference:	04.11.115		
Doing Business As:	Divots Golf				
Premises Address:	4230 Old Seward Hwy				
City:	Anchorage	State:	AK	ZIP:	99503
Local Governing Body:	Anchorage Municipality				
Community Council:	Midtown				

Mailing Address:	4230 Old Seward Hwy				
City:	Anchorage	State:	AK	ZIP:	99503

Designated Licensee:	Victoria Hofmann			
Contact Phone:	509-240-0445	Business Phone:	509-240-0445	
Contact Email:	victoria@divotsindoorgolf.com			

Seasonal License? ☐ Yes ☒ No If "Yes", write your six-month operating period: \_\_\_\_\_

OFFICE USE ONLY					
Complete Date:		License Years:		License #:	5984
Board Meeting Date:		Transaction #:	100073597		
Issue Date:		BRE:	CC		





Alaska Alcoholic Beverage Control Board

## Form AB-00: New License Application

### Section 2 – Premises Information

Premises to be licensed is:

☒

an existing facility

☐

a new building

☐

a proposed building

The next two questions must be completed by beverage dispensary (including tourism) and package store applicants only:

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the outer boundaries of the nearest school grounds? Include the unit of measurement in your answer.

What is the distance of the shortest pedestrian route from the public entrance of the building of your proposed premises to the public entrance of the nearest church building? Include the unit of measurement in your answer.

### Section 3 – Sole Proprietor Ownership Information

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 4.

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

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

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	

This individual is an: ☐ applicant ☐ affiliate

Name:					
Address:					
City:		State:		ZIP:	



## Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application****Section 4 – Entity Ownership Information**

This section must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for a license. Sole proprietors should skip to Section 5.

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

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

Entity Official:	Victoria Hofmann				
Title(s):	Manager, Member	Phone:	509-240-0445	% Owned:	50
Address:	2921 Monarch Cir				
City:	Anchorage	State:	AK	ZIP:	99516

Entity Official:	Lawrence Hofmann, Jr.				
Title(s):	Manager, Member	Phone:	509-240-0445	% Owned:	50
Address:	2921 Monarch Cir				
City:	Anchorage	State:	AK	ZIP:	99516

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

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





Alaska Alcoholic Beverage Control Board

**Form AB-00: New License Application**

This subsection must be completed by any applicant that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC) and have a registered agent who is an individual resident of the state of Alaska.

DOC Entity #:	10157156	AK Formed Date:	03/03/2021	Home State:	AK
Registered Agent:	Andrew C. Mitton		Agent's Phone:	907-602-8360	
Agent's Mailing Address:	405 W. 36th Ave. Ste. 200				
City:	Anchorage	State:	AK	ZIP:	99503

Residency of Agent:

Yes No

Is your corporation or LLC's registered agent an individual resident of the state of Alaska?

☒ ☐

**Section 5 – Other Licenses**

Ownership and financial interest in other alcoholic beverage businesses:

Yes No

Does any representative or owner named in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

☐ ☒

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

**Section 6 – Authorization**

Communication with AMCO staff:

Yes No

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

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



Alaska Alcoholic Beverage Control Board

Form AB-00: New License Application

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

Section 7 – Certifications

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

Initials

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



I certify that all proposed licensees have been listed with the Division of Corporations.



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 304.465.



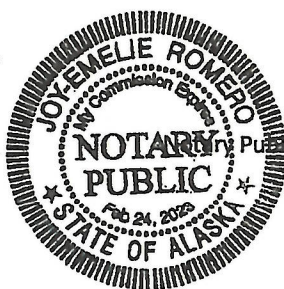
I agree to provide all information required by the Alcoholic Beverage Control Board in support of this application.



As an applicant for a liquor license, I declare under penalty of perjury that I have read and am familiar with AS 04 and 3 AAC 304, and that this application, including all accompanying schedules and statements, is true, correct, and complete.

  
Signature of licensee

Victoria Hofmann  
Printed name of licensee



  
Signature of Notary Public

Notary Public in and for the State of Alaska

My commission expires: 02-24-23

Subscribed and sworn to before me this 25 day of May, 2021.



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

## Alaska Alcoholic Beverage Control Board

# Form AB-02: Premises Diagram

### What is this form?

A detailed diagram of the proposed licensed premises is required for all liquor license applications, per AS 04.11.260 and 3 AAC 304.185. Your diagram must include dimensions and must show all entrances and boundaries of the premises, walls, bars, fixtures, and areas of storage, service, consumption, and manufacturing. If your proposed premises is located within a building or building complex that contains multiple businesses and/or tenants, please provide an additional page that clearly shows the location of your proposed premises within the building or building complex, along with the addresses and/or suite numbers of the other businesses and/or tenants within the building or building complex.

The second page of this form is not required. Blueprints, CAD drawings, or other clearly drawn and marked diagrams may be submitted in lieu of the second page of this form. The first page must still be completed, attached to, and submitted with any supplemental diagrams. An AMCO employee may require you to complete the second page of this form if additional documentation for your premises diagram is needed.

This form must be completed and submitted to AMCO's main office before any license application will be considered complete.

Yes No

I have attached blueprints, CAD drawings, or other supporting documents in addition to, or in lieu of, the second page of this form.

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## Section 1 – Establishment Information

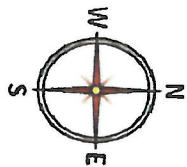
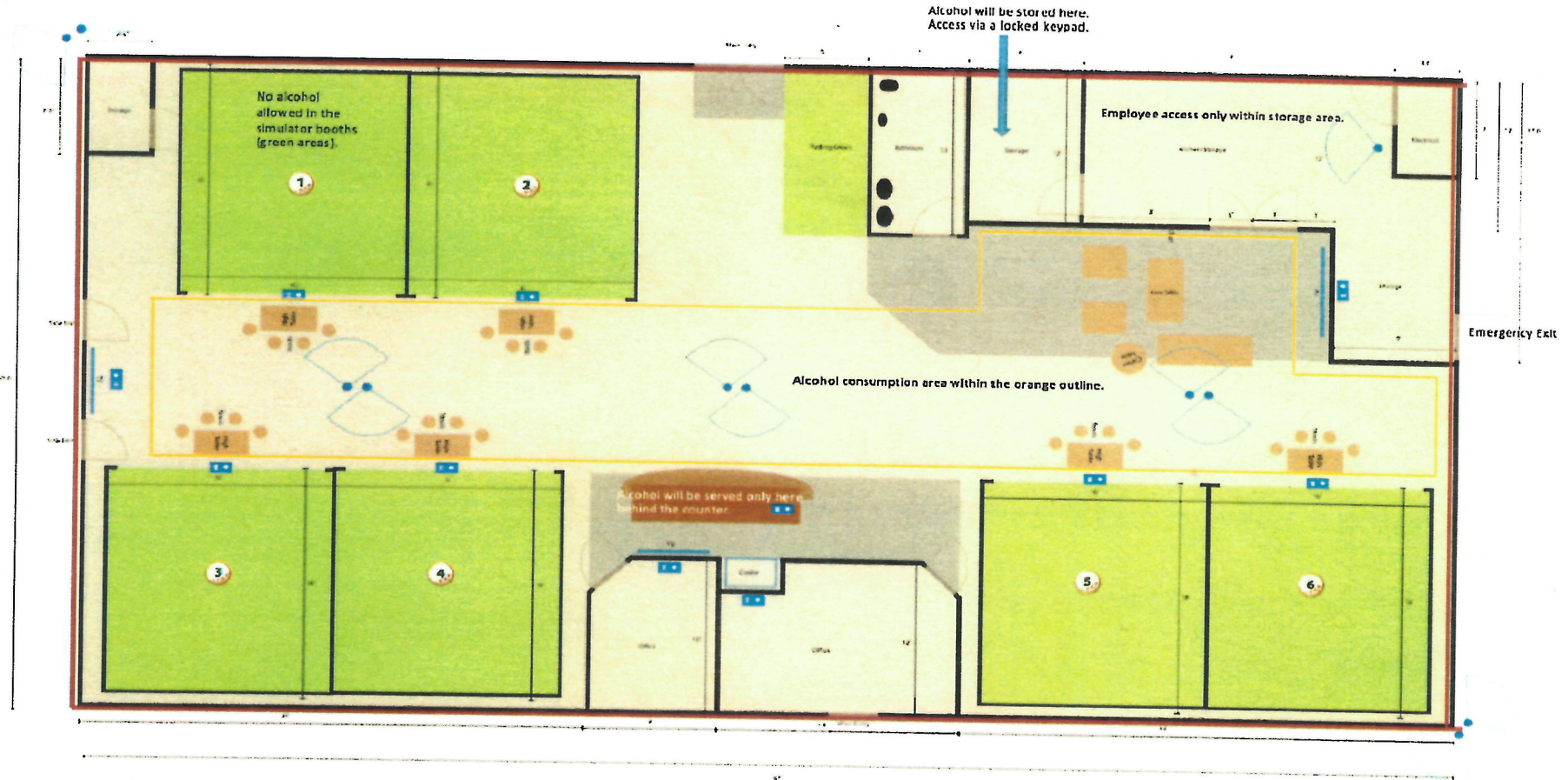
Enter information for the business seeking to be licensed, as identified on the license application.

Licensee:	VMH Enterprises LLC	License Number:	
License Type:	Golf Course		
Doing Business As:	Divots Golf		
Premises Address:	4230 Old Seward Hwy		
City:	Anchorage	State:	AK
		ZIP:	99503



Divots Golf  
4230 Old Seward Hwy  
Anchorage, AK 99503

Tudor  
(approximately  
300ft from side  
entrance)



Old Seward Hwy  
(approximately 50ft from office entrance)

**Notes:**

- No alcohol manufacturing will be taking place on the premises
- Interior walls are shown in black
- Brown features are furniture
- Dimensions are shown in feet

AMCO Received 8/16/2021



Atunyote Golf Club  
Aviara – Four Seasons  
Bandon Dunes  
Banff Springs  
Barton Creek – Fazio Foothills  
Bay Hill Club & Lodge  
Belfry  
Bethpage Black  
Bighorn – Canyon Course  
Bighorn – Mountains Course  
Bountiful Ridge  
Cabo del Sol – The Ocean Course  
Castle Pines Golf Course  
Chateau Whistler Golf Course  
Club at Hokuli'a  
Club Le Golf Le Sorcier  
Cog Hill – Dubsdread  
Covered Bridge Golf Club  
Devils Island  
Dorado Beach – East Course  
Emerald Dunes  
Entrada at Snow Canyon  
Firestone C.C. – South Course  
Frankfurter Golf Course  
Gleneagles – The Centenary  
Course  
Greywolf  
Hapuna Golf Course  
Harbour Town

Holtsmark GK RTJ  
Innisbrook – Copperhead  
Junior Challenge Course  
Kapalua Bay  
Kapalua Plantation  
Kapalua Village  
Kauri Cliffs  
Kiawah Island – Ocean Course  
King and Bear  
Kuala Lumpur – West Course  
Kuneticka Hora  
Lakeside Golf Course  
Latrobe County Club – Fall  
Le Grand George  
Loch Lomond Golf Club  
Losby Golf  
Mauna Kea Resort  
Mauna Lani  
New South Wales  
Oakmont Country Club  
Oslo Golf Club  
Owl Creek Golf Club and Resort  
Pacific Dunes  
Pacific Rim Country Club  
Panther Lake  
Par 3 Mountain Course  
Par 3 Ocean Course  
Paradise Palms Resort  
Pebble Beach Golf Links Resort





Pelican Hill Golf Club

PGA National

Phoenix Country Club

Pine Canyon Golf Club

Pinehurst No. 2

Pinehurst No. 8

Prairie Dunes Country Club

Princeville

Raven Golf Club at South

Mountain

Robert Trent Jones G.T. –

Cambrian

Robert Trent Jones G.T. – Judge

Robert Trent Jones G.T. – Links

Royal Melbourne Golf Club

RTJ Silver Lakes Backbreaker

RTJ Silver Lakes Heartbreaker

RTJ Silver Lakes Mindbreaker

Sanctuary Golf Club

Scottsdale North

Sea Island Golf Club

Skeleton Coast

Spyglass Hill Golf Course

Stone Canyon Club

Superstition Mountain

Taghazout

Thanksgiving Point

The Gallery North Golf Course

The Golf Club of Houston

The Links at Spanish Bay

Three Canyons

Torrey Pines – South Course

Tribute at the Otsego Club

Troon North – Monument Course

Valderrama Golf Club

Wade Hampton Golf Club

Westfields Golf Club

Yellowstone Club