

**LIQUOR AND BEER MEETING  
LOCAL LICENSING AUTHORITY  
CITY OF GRAND JUNCTION, COLORADO  
CITY/COUNTY AUDITORIUM, 520 ROOD AVENUE**

**M I N U T E S**

**WEDNESDAY, NOVEMBER 2, 1994, 8:00 A.M.**

- I. **CALL TO ORDER** - The meeting convened at 8:07 a.m. Those present were Hearing Officer Phil Coebergh, Assistant City Attorney John Shaver, and City Clerk Stephanie Nye.

II. **APPLICATIONS TO RENEW LIQUOR AND BEER LICENSES**

- A. Wrigley Field, 1810 North Avenue (Hotel-Restaurant)  
City Clerk Stephanie Nye reported that the building lease has been renewed, although the parking lot lease is scheduled on tonight's City Council agenda for renewal. The Health Department reports some violations regarding refrigeration and other recurring problems, with a requirement of a compliance schedule. Mr. Jim Stuart was present stating that he had talked with Tom Orr, Mesa County Health Department Sanitarian on November 1, 1994. Mr. Orr stated to Mr. Stuart that there was nothing that would hold up the issuance of the license. The Hearing Officer approved the license.
- B. G. B. Gladstone's, 2531 N. 12th Street (Hotel-Restaurant)  
The renewal application was in order, and approved. Mr. Frank Bering, owner, was present.
- C. Eagles Lodge #595, 1674 Highway 50 (Club)  
This renewal application will be rescheduled for December 7, 1994, as there has been a change in officers and trustees, and the appropriate documentation needs to be filed in conjunction with the renewal application.
- D. La Mexicana, 1310 Ute Avenue (Hotel-Restaurant)  
The renewal application was in order, and approved, subject to the filing of a final Health Department report.
- E. Orchard Mesa Lanes, 295 27 Road (Hotel-Restaurant)  
The renewal application was in order, and approved, subject to the filing of a final Fire Department report.

III. **APPLICATION FOR NEW LICENSE**

- A. Application by Jerry Dean Raby and Tara Lynn Raby for a Beer and Wine License under the Trade name of Wild Bill's BBQ, to be located at 509 28-1/2 Road

City Clerk Nye reported that the application was in order. The applicant has received the Health Department Permit. She read the attached report into the record.

Tara and Jerry Raby were present. They stated that they have two successful, family style restaurants in the State of Oklahoma. They consider the Beer and Wine license a complement to the meal. They do not want to be considered a bar. They presented a copy of the Health Department Permit to the City Clerk. They commented on their Statement of Hours of Operation saying that they might close earlier than the hours stated, definitely not later. The stated hours are 11:00 a.m. to 10:00 p.m., Sunday through Saturday. They stated that they have no problem with the Statement of Hours being a condition of the Beer and Wine license.

Mr. Jack Perrin, owner of the building at 509 28-1/2 Road, stated that he has known Jerry and Tara Raby for some time. He feels they run two fine barbecue restaurants in Tulsa, Oklahoma. They run a full scale barbecue restaurant. They serve excellent food and come highly recommended. They are also aware of the past problems with this location. Mr. Perrin assured the residents in the neighboring area that their intent is to run a family restaurant with the alcoholic beverages used only as a complement to the food. He stated that there is still a theft problem, vandalism, litter, drunks in the parking lot. He does not want the Rabys to be blamed for these problems.

Mr. Harry Tucker, owner of Le Master Motel at 2858 North Avenue, located within 1/8 of a mile from the subject restaurant, stated that a restaurant is needed in the building at 509 28-1/2 Road. He supported the application.

Mr. Fred Aldrich, attorney representing Star Corporation, the owner of the property immediately to the north of the subject location, stated that he understands that the receipts from food items for this restaurant will be approximately 80%, with receipts from alcohol approximately 20%. Star Corporation is in favor of having a true restaurant at this location with the hours of operation as stated above. Mr. Aldrich asked the applicants if they would agree to a condition that would limit the sale of alcoholic beverages by not exceeding 20% of gross receipts.

Hearing Officer Coebergh stated that this hearing is not being held to place conditions on the applicant. He explained that the State License would not come back showing any conditions whatsoever.

Mr. Aldrich stated that his client has and still supports a true restaurant at that location.

There was no one present speaking in opposition to the issuance of the license. The hearing was closed.

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Assistant City Attorney Shaver commented on Mr. Aldrich's request of the applicant. He stated that it would be duplicative of the Zoning and Development Code to suggest that there ought to be any conditions relative to percentage of food versus alcohol sales. The Zoning and Development Code requires affirmative evidence by an applicant for zoning officials to determine whether or not a conditional use permit is required. Under the Zoning and Development Code, sales of alcohol is an accessory use to a restaurant, or an allowed use, and does not require additional certification or permitting process. Under the State Statutes and the Zoning and Development Code, there is ample opportunity for enforcement of the conditions as to hours of operation.

Hearing Officer Phil Coebergh stated that he will take this under advisement. This location has been hotly contested in the past. In accordance with common practice of the Liquor Licensing Authority, he reserved issuance of a determination on this application until the next regularly scheduled meeting on December 7, 1994.

**IV. ADJOURNMENT** - The meeting adjourned at 8:29 a.m.

**NEXT REGULAR MEETING - December 7, 1994**