



City of Minneapolis  
Licenses and Consumer Services Division  
350 South Fifth Street Room 1-C City Hall  
Minneapolis, Minnesota 55415  
[www.minneapolismn.gov](http://www.minneapolismn.gov)



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**FINDINGS OF FACT  
CONCLUSIONS AND  
RECOMMENDATIONS**

In the Matter of License No. L192 50031 LA QUE BUENA  
for LIQ ON-SALE C-2 W/SS SERIES 2000

Held by:  
**LA QUE BUENA INC  
JUAN SANCHEZ  
1609-11 LAKE ST E  
MINNEAPOLIS, MN 55407**

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13-1007150

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This matter came to a license settlement conference on October 24, 2013 and December 18, 2013. Appearing for the City of Minneapolis on October 24, 2013 were Business License Manager Grant Wilson, Lead License Inspector Julie Casey, Lt Amelia Huffman, Officer Chris Leum, Officer Frank Kutz, Appearing for the license holder were Juan Sanchez, the owner of La Que Buena and Cindy Leon, the manager of La Que Buena. Appearing for the City of Minneapolis on December 18, 2014 were Business License Manager Grant Wilson, Lead License Inspector Julie Casey, Lt Amelia Huffman, Officer Chris Leum, Officer Frank Kutz Lt Giovanni Velez, Lt Dan May and Crime Prevention Specialist Karen Notsch. Appearing for the license holder was Juan Sanchez, the owner of La Que Buena, Cindy Leon, the manager of La Que Buena and their attorneys, Tammera Diehm and Ann Steingraeber of Winthrop & Weinstine, P.A.

**FINDINGS OF FACT**

1. On 9-2-13, per Minneapolis police reports, following a fight in the restaurant, shots were fired from the alley into the parking lot at La Que Buena. Armed security staff from La Que Buena returned gun fire towards the shooter. Following the shooting incident, a review of the past police history, and license violation history found that significant safety issues and license violations were occurring as a result of the operation of La Que

Buena. The documented events of concern are listed below.

- a. Alcohol on the premises after 2:30 a.m. in violation of Minneapolis Code of Ordinances 364.85 and use of the basement space for an event which is not approved in conjunction with the business license in June 2007 in the amount of \$500.
  - b. Posting alcoholic beverage signs in violation of Minneapolis Code of Ordinances 125 in May 2009 in the amount of \$200.
  - c. Allowing sale of alcohol to a minor in violation of Minneapolis Code of Ordinances 370.10 in June 2009 in the amount of \$500.
  - d. On 6-10-11, music was observed playing at 2:40 a.m., significantly after 2:00 a.m. in violation of Minneapolis Code of Ordinances 360.370(f). On 7-10-11, live music was observed by license officials after 2:00 a.m. A \$200 administrative citation was issued for the 7-10-11 violation and the sanction was paid by the licensee.
  - e. On 8-20-11, license officials observed the outdoor patio operating at 2:40 a.m. and alcohol was present and being consumed by a patron. The licensee was issued a violation notice.
  - f. On 3-12-12, an alleged violation notice was issued to the licensee for the dancing entertainment that was advertised on the licensee's Facebook page. This notice served as a warning that they may be violating their level of entertainment. On 3-15-13, license officials observed a disc jockey providing entertainment in violation of 362.30 of the Minneapolis Code of Ordinances. A \$200 administrative citation was issued for this violation and subsequently paid by the licensee.
  - g. On 8-22-12, license officials observed the outdoor patio operating and occupied by patrons after the 10:00 p.m. closing time resulting in the issuance of a violation notice. On 9-6-13, license officials observed the outdoor patio operating and occupied by patrons after the 10:00 p.m. closing time. A \$200 administrative citation was issued for this violation and the sanction was paid by the licensee.
2. These issues were outlined to the owner and the manager of La Que Buena on October 24, 2013. The discussion at this license settlement conference included what changes were needed at La Que Buena in order to reduce the types of incidents that needed police intervention. La Que Buena agreed to make changes to reduce these incidents.
  3. On 11-23-13, La Que Buena manager Cindy Leon called 911. The 911 Incident Detail Report states, "F says Gang members are fighting. Security is trying to keep suspects outs. They are all outs in frt. There is only one security guy and about 30 unwinds."-
  4. On 11-25-13, according to police reports, four patrons inside of the La Que Buena restaurant were shot through the front window. One person died from the gun shot injuries. Public police documents and information provided by the Minneapolis Police Department indicate that the patrons shot during the altercation were gang members.

5. The additional incidents led the City to reconvene the license settlement conference on December 18, 2013. A Spanish language interpreter was present. New conditions were proposed to the previous agreement.

### CONCLUSIONS

1. Incidents of criminal activity have occurred, on and near the premises of La Que Buena, some of which violate Minneapolis Code of Ordinances 259.250(4).
2. Incidents of violations of Chapter 360 and 362 of the Minneapolis Code of Ordinances including exceeding the limits of the C-2 entertainment license, allowing alcohol on the premises after 2:30 a.m., allowing operation of the patio after 10:00 p.m., and allowing entertainment after 2:00 a.m. have occurred on the premises of La Que Buena.

### RECOMMENDATIONS

According to Minnesota Statute 340A.415(5), "...on a finding that a license holder failed to comply with an applicable statute, rule or ordinance relating to alcoholic beverages, the authority issuing the license may revoke the license, suspend the license for up to 60 days, impose a civil penalty of up to \$2,000 for each violation or impose any combination of these sanctions." In lieu of adverse license action, including license suspension, denial of renewal, or renovation, the Licenses and Consumer Services Division makes the following recommendations.

1. La Que Buena understands that all license conditions adopted in July 2007 shall remain in effect in addition to the following new conditions.
  2. La Que Buena agrees to serve a suspension of their All Night Special Food license from the date of approval of this agreement by the Minneapolis City Council to September 3, 2014.
  3. La Que Buena agrees to reduce their class of license from a Class C-2 license to a Class E license as a result of several violations for exceeding their level of entertainment. La Que Buena may reapply for a Class C-2 license after one year.
1. La Que Buena shall accept a three day suspension of their business licenses. The suspension shall be served on three consecutive days and must include a Friday and Saturday and shall be served within 30 days of approval of this agreement by the Minneapolis City Council.
  2. The rear parking area will be gated at 10:00 p.m. each day. It will not be locked to comply with Minneapolis Fire Regulations. La Que Buena employees may use the rear parking area for their personal vehicles after 10:00 p.m.
  3. Additional lighting shall be added to the rear parking area as advised by the 3<sup>rd</sup> Precinct Crime Prevention Specialist.

4. La Que Buena shall maintain three surveillance cameras in the entire rear parking area. La Que Buena shall supply Minneapolis Police with surveillance recordings within one day of the request should such recordings be needed to investigate reports of criminal activity. A minimum of 30 days of recorded materials shall be retained for use by Minneapolis Police.
5. Panic hardware shall be installed on the rear door to the parking area. The rear entrance shall be closed to patron entry after 10:00 p.m. each day.
6. On Friday and Saturday nights, La Que Buena shall have a security guard posted in the rear parking area and at the front door when there are over 25 patrons in the restaurant. The front door security guard shall restrict entrance to any person appearing overly intoxicated.
7. La Que Buena shall participate in a security review with the Minneapolis Third Precinct Crime Prevention Unit. As part of that review, Minneapolis Police "No Trespassing" signs shall be posted on the front and back of the La Que Buena premises. La Que Buena shall follow the trespass procedures as outlined by the Minneapolis Police Third Precinct. Security guards shall wear clothing so as to identify them as security.
8. In cooperation with the Minneapolis Police Third Precinct, La Que Buena shall establish, post and enforce a dress code to discourage gang activity from occurring on their premises.
9. A policy shall be written and enforced to prevent loitering on the exterior of the La Que Buena premises.
10. A policy shall be written and enforced concerning the safe service of alcohol to prevent persons that are overly intoxicated from being allowed on the premises.
11. All written policies listed above shall be completed within 30 days and made available upon request to the Minneapolis Police and Business License Departments.

La Que Buena, Inc. understands that the holding of a business or liquor license in the City of Minneapolis is both a privilege and a responsibility. A minimum standard shall be met in order to hold such a license. One minimum standard is that a license holder is responsible to ensure that its business operates in compliance with all applicable laws, ordinances, and regulations. It is understood and agreed that any violation of the above Recommendations shall constitute just and proper cause for the immediate imposition of any stayed penalties. It is further understood that compliance with the above Recommendations is a requirement for continuing to hold a license and that failure to comply with any of these conditions may result in additional adverse license action.

I have read and understand the above findings of fact, conclusions, and recommendations. I agree with their contents and I agree with the above noted Recommendations. I understand that the failure of my business to adhere to this agreement may be cause for further suspension, revocation, or denial of my license. I understand that this report must be accepted and approved

by the Minneapolis City Council and Mayor.

Based upon the foregoing, this agreement is FREELY & VOLUNTARILY ENTERED INTO IN GOOD FAITH:

Business

For the City of Minneapolis:

By: Tom Jack Morris Square Grant Wilson  
(signature) Grant J. Wilson  
Manager

Its: Owner  
(title)

Dated: 4/14, 2014 Dated: 4-15, 2014

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