

7 Monks Cafe - Wine & Beer Permitting Variance Letter

Rashmi Bhat - 7 Monks Cafe
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6th April 2021

Dear Planning Department & City Council,

First of all, thank you for representing our city; this town we call home has really blossomed over the past few years and I look forward to helping realize your vision for the city in the coming years.

My name is Rashmi Bhat - my family and I have lived in New Braunfels for over 9 years now. In our time here, we've become US citizens, founded multiple businesses, and opened New Braunfels' first Indian & Mediterranean restaurant, 7 Monks Cafe.

I'm writing to you today because, as part of our plans to grow our business, we are applying for a wine & beer permit. However, we're facing an obstacle from one of the local ordinances mandating that liquor licences not be granted within 300 ft of a church. In this variance request letter, I would like to explain our position and I hope you'll grant our little, women-run family restaurant an exception to this ordinance.

The Texas Alcohol and Beverage Commission (TABC) allows the City Council to grant variances to alcohol distance rules if "Enforcement of the regulation in particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reasons the city council determines is in the best interest of the community"¹. We will show that multiple points in this list apply to our specific case.

"Does not serve its intended purpose" and "is not.. necessary": We're located at 494 N Seguin Ave; it's a commercially-zoned spot just by the railroad tracks. Normally alcohol sales would be permitted for this zoning, but one of our neighbors is St. Joseph's Anglican Church which happens to fall slightly within the 300 ft line specified by ordinance (we're at 200 ft). While the letter of the law would disallow serving alcohol, we believe it's clear that the *spirit* of the ordinance is not to prevent mom and pop restaurants from offering patrons a beer or glass of wine with their dinner.

One evidence for this is that, per TABC rules², a business with a food and beverage certificate (i.e. restaurant with <50% of sales from alcohol) is exempt from the 300 foot spacing from private schools, day-care, and child-care facilities. While that exemption doesn't apply perfectly to our scenario (due to the entity in question being a church) I believe it speaks volumes about the intent of the rule being to prevent noisy bars and clubs rather

¹ Tex. Alco. Bev. Code Ann. §109.33 (e).

² Tex. Alco. Bev. Code Ann. §109.33(h)(1) (private schools) and §109.331(a) (day-care centers and child-care facilities).

than restaurants who want to serve drinks. In our case, we're definitely not planning to become a bar; 7 Monks' focus has been and will continue to be serving high-quality food, and once the license is granted we don't anticipate alcohol sales exceeding 20% of gross revenue. We have no plans to be open late (our latest hours are 8pm currently) and have never even been open on Sunday - ultimately we're a fairly quiet spot that has never gotten complaints from our neighbors and this relationship won't change just because we serve drinks with our meals.

"Undue hardship for applicant" - I'm sure I don't need to explain why the past year was challenging. We're not a major chain, we really are a family-run venture (we were actually voted "Best Mom & Pop Restaurant" by *The Herald* last year!) so the pandemic posed significant adversity for us. The support of our community (and a ton of work!) has helped us stay afloat and rebuild after Covid took us back to square one in many ways. We're getting back to where we were pre-pandemic, and with the wine & beer license we're looking to continue this progress and increase the restaurant's profitability. We believe as the economy begins to fully re-open, the citizens of New Braunfels will be excited to resume in-restaurant dining and we hope that offering drinks with our meals will attract new customers and provide our existing customers new ways to experience our cuisine. We would survive without the variance, but it makes it more challenging to run our business as efficiently.

"is in the best interest of the community" - At 7 Monks, fewer things give us more pride than introducing new patrons to our cuisine and making an impact on our community. We currently employ numerous workers in town and expect this to increase once we're serving alcohol; so this decision will have a small but tangible impact on the amount of jobs offered in downtown New Braunfels. In addition, we plan to serve some local beers and wines when permitted which will also keep money being spent in New Braunfels.

Finally, 7 Monks Cafe brings people to New Braunfels. As very nearly the only Indian restaurant between Austin and San Antonio, 7 Monks has become a bit of a draw for the town. We were recently featured in the December issue of *Texas Highways Magazine*³ and have heard from many people that they drove an hour or more to check us out. We get over 100,000 website views per month and we expect this to increase even further once we're able to build the experience we want at our restaurant.

I hope we've made a compelling case for why this variance is so important to us and our community. From all of us at 7 Monks, thanks for reading.

Sincerely,



Rashmi Bhat

Founder, 7 Monks Cafe - Indian & Mediterranean

Founder, Bonjour Texas! - Wholesale Sandwiches & Salads

³<https://texashighways.com/eat-drink/dining/7-monks-cafe-in-new-braunfels-dishes-inclusive-authentic-indian-food/>