



FILE
18-113695

November 2, 2018

Board of Zoning Appeals
St. Paul City Hall
15 W Kellogg Blvd
St. Paul, MN 55102

Dear Chair Bogen and Members of the Board of Zoning Appeals,

As the Chief Executive Officer of ClearWay Minnesota, a statewide nonprofit organization working to reduce tobacco's harm, I write in strong support of the staff recommendation to deny a variance to 589 Dale Street North, allowing them to become a tobacco product shop.

ClearWay Minnesota was a strong supporter of the St. Paul ordinance that restricted the sale of menthol-flavored tobacco products to adult-only tobacco product shops. We also applauded the city when it decided to create half mile distance standards between tobacco shops. The purpose of limiting the number of tobacco shops was to discourage tobacco use, particularly among youth, and to prevent oversaturation of this type of business. Additionally, the St. Paul City Council recently passed an ordinance capping the number of tobacco retailers. This further illustrates the City's intent to limit the number of tobacco shops.

We do not want to see St. Paul, or any community, become saturated with tobacco stores. They don't add anything positive to the city environment. Rather they help people stay addicted to tobacco and recruit new users. The City took a great step when it decided to limit tobacco outlets to at least every half mile. We don't want to see that ordinance become obsolete, one variance request at a time.

Should you vote in favor of this variance, you would be undoing through administrative process sound policies that were passed with strong public involvement and support. Allowing a variance will say to every other tobacco outlet in the city that the half mile distance requirement is merely a suggestion. But it is not a suggestion. It is current city law.

Please uphold existing St. Paul ordinances and do not give a variance to this property.

Sincerely,

A handwritten signature in blue ink that reads "David J. Willoughby".

David J. Willoughby, M.A.
Chief Executive Officer
ClearWay MinnesotaSM

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November 1, 2018

Chair Gloria Bogan and Members of the Board of Zoning Appeals

Attn: Jerome Benner II

Department of Safety and Inspections

375 Jackson Street, Suite 220

St. Paul, MN 55101

Re: Letter in opposition to major variance requests for property located at:

572 University Ave. West (18-115066) and 589 Dale Street North (18-113695)

Dear Chair Bogan and members of the Board of Zoning Appeals:

I've been a community organizer and leader in the East Metro Hmong community for more than 18 years. As one of the community leaders proudly involved in passing Saint Paul's menthol ordinance, I'm writing to express my opposition to the major variance requests submitted by the above referenced applicants. These two major variance requests attempt to circumvent the menthol ordinance and undermine the intent of Saint Paul's tobacco shop distance requirements.

The tobacco shop distance requirements were put in place more than six years ago to prevent over concentration of tobacco shops. I strongly agree with the BZA staff report recommendations to deny both of these major variance requests. Please follow these recommendations, and do not undo all of the community's hard work to protect its members, including the Hmong community, from the harms of menthol tobacco and oversaturation of tobacco shops in St. Paul. Thank you for your leadership.

Sincerely,

Tou Thai Lee

651-226-7753

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18-113695

Blue Cross and Blue Shield of Minnesota

P.O. Box 64560
St. Paul, MN 55164-0560
(651) 662-8000 / (800) 382-2000



November 2, 2018

Chair Gloria Bogan and members of the Board of Zoning Appeals
Attn: Jerome Benner II
City of Saint Paul
Department of Safety and Inspections
375 Jackson Street, Suite 220
St. Paul, MN 55101

Re: File #18-113695 – 589 Dale Street North and File #18-115066 – 572 University Avenue West

Dear Chair Bogan and members of the Board of Zoning Appeals:

I am writing to urge you to reject the zoning variance requests to the above applicants. We are pleased to see that the Board of Zoning Appeals staff agree. Blue Cross and Blue Shield of Minnesota was one of 57 organizations that supported the passage of the menthol tobacco restriction ordinance that went into effect yesterday on November 1. The approval of this zoning variance undermines the aim of the ordinance – to limit access of tobacco by youth, who are especially vulnerable to exposure to these addictive products.

As the largest health plan in Minnesota, Blue Cross is committed to improving the health of all Minnesotans, which is why we strongly support local policy change to keep youth away from the harms of tobacco.

St. Paul City Council was very cognizant of the potential ways retailers could work around the menthol ordinance and have passed a cap on the number of tobacco shop licenses as well as the tobacco shop zoning code. City Council also recently voted to amend City Code to restrict unaccompanied minors under the age of 21 from entering liquor stores where menthol tobacco can still be sold. These ordinances and measures reflect the clear commitment of the City Council and the residents they represent to put the health of the community above commercial tobacco profits.

You have probably heard about the potential economic losses that the retailers claim to face. However, according to a 2017 Blue Cross report, smoking costs Minnesotans **\$7.5 billion annually** in excess health care costs and lost productivity. The staggering costs of tobacco in both health care costs and loss of life cannot be compared to the loss of profits for those who want to continue to sell these lethal products.

I hope you will take this positive step toward making a smoke-free generation for St. Paul youth and reject the above-referenced zoning variance requests.

Sincerely,

A handwritten signature in black ink, appearing to read "Janella Wilcox".

Vice President, Community Health and Health Equity
Blue Cross and Blue Shield of Minnesota
Co-chair, Minnesotans for a Smoke-free Generation
smokefreegenmn.org

bluecrossmn.com