

From: [Daniel Kennedy](#)
To: [*CI-StPaul Contact-Council](#)
Subject: 9/3/25 Agenda Items 22-23, St. Thomas sound level variance applications
Date: Wednesday, September 3, 2025 10:17:18 AM

You don't often get email from dan@lakestreetlaw.com. [Learn why this is important](#)

Dear Council Members,

I am writing on behalf of Advocates for Responsible Development (ARD) and its 300+ members who are neighbors of the University of St. Thomas (UST). ARD is concerned that UST has applied for nine sound level variance for events in its stadium this fall in addition to the three variance that the council granted for successive events last weekend. ARD opposes these variances for the following reasons:

1. 65 dBA (the normal limit) is sufficient to broadcast in a football stadium. St. Thomas did that for decades, and it did not deter fans from attending. Macalester, Concordia, and Hamline all conduct their football games in similar stadiums without seeking a variance from 65 dBA.
2. UST does not provide any justification for needing 93 dBA. If the applicant does not provide a reason for exceeding the legal limit, the council should not grant the application. Leg. Code § 293.10(e)(3) provides that variances may only be granted if the applicable sound limits "constitute an unreasonable hardship on the applicant, on other persons, or on the community. The council shall balance the hardship to the applicant against the adverse impact on the health, safety and welfare of the persons affected, the adverse impact on the property affected, and any other adverse effects of granting the variance." UST presents no hardship.
3. UST's stadium is directly across the street from houses. The sound resonates off UST's buildings and into the neighborhood. The sound is loud blocks away, and can be heard across the Mississippi River. If you have ever attended a game at UST, you know that the noise is constant, as every break between plays is filled with commentary and/or loud music. Even without being combined with the traffic and parking problems that accompany games at UST's stadium, the sound alone presents an unreasonable hardship on the community.
4. As to the variances in Agenda Item #22, these are not UST football games. They are for Cretin-Derham Hall football games. This raises several concerns: Why does a high school game need such loud sound? Why are they playing at St. Thomas when Cretin has its own football field? Is UST zoned to operate a rental hall? [Answer: No. "Rental hall" shall mean and include any building, room, premises, facility, or portion thereof, which is available for use by any person or persons upon the payment of a fee. Leg. Code 405.01. A license is not required because it is a college campus, but it must be properly zoned for the use.] Putting up with St. Thomas's noise is one thing, but compounding the imposition on the neighborhood by playing Cretin's home games at UST is egregious.

If St. Thomas wants a pro-level experience at football games, it should have to justify why it is necessary and why it outweighs the interests of the community to enjoy Saturdays without sound blaring from the campus across the street. At the hearing on the three previous variances, CM Privratsky expressed concern at the numerosity of loud events on campus, but then moved to approve nonetheless. St. Thomas did not even speak to justify its request for a variance.

I am hopeful that we will be able to chart a new course forward, where St. Thomas can conduct

its activities while minimizing its unnecessary negative impacts on the neighborhood. Denying unjustified sound level variances would be a good start.

Daniel L. M. Kennedy
Advocates for Responsible Development
(612) 728-8080
dan@lakestreetlaw.com