

The Summit Avenue Case

Charles W. Skrief

IN MARCH, 1977, for the first time in its 128-year history, the Minnesota Historical Society joined a lawsuit as a plaintiff. The issue in the case was whether two duplex structures should be constructed on vacant land midway between the University Club and the Cathedral on St. Paul's Summit Avenue. The society did not initiate the suit. Instead, it intervened, along with the state of Minnesota, several weeks after the action was commenced. The original plaintiffs were the Ramsey Hill Association (a neighborhood organization) and an owner of property adjacent to the vacant land.

The suit began several days after the developer of the property rejected the neighbors' request to review his plans for their compatibility with the historic character of Summit Avenue. As the trees on the land were felled and the foundations of the buildings dug, the neighbors picketed the site and filed a petition for injunctive relief. Their petition, although denied by Ramsey County District Court, was granted on appeal by the Minnesota Supreme Court. Various neighbors contributed their own money to meet the required \$20,000 bond, and work at the site halted.

Agreeing both that Summit Avenue was a resource important to the entire state and that the construction of the duplexes as planned would cause irreparable damage, the society and the state of Minnesota intervened as plaintiffs. At the hearing for a temporary injunction, Attorney General Warren Spannaus expressed the state's commitment to the preservation of its historic resources. Russell Fridley, director of the society and one of the plaintiffs' expert witnesses, described the lower end of Summit Avenue as one of the most historic areas in the Midwest and emphasized the need for the preservation of its historic and architectural character. New construction on the avenue, he said, must be compatible with the old. William Scott, an architect with extensive experience in historic preservation and another of the plaintiffs' expert witnesses, described the lower end of Summit Avenue as the "front hall" of an entire historic area. He

testified that objective standards of compatibility could be established by evaluating the dominant characteristics of the buildings on the avenue. Although many different architectural styles were represented, Scott and Fridley testified, nearly all of the buildings were more than two stories in height; buildings that were grouped together by city block or terrain obeyed a similar setback from the street; each building when viewed from the street had a vertical emphasis, as did its windows and doors; each had a prominent and usually central front entry; practically none of the buildings had garages visible from the street; and most had gable roofs.

No, Fridley and Scott answered the defendants' lawyers, this did not mean a Victorian mansion must be reproduced. Modern materials and techniques could be used; a contemporary style might be most appropriate. Plaintiffs asked only that the new building be a good neighbor. It should reflect the basic characteristics of its older companion structures.

But was it not true, one of the defense attorneys asked Fridley as he had Fridley read from the society's quarterly, *Minnesota History*, that F. Scott Fitzgerald had described Summit Avenue as "a museum of American architectural failures"? Fridley replied that some persons might agree with Fitzgerald's opinion, others might disagree. The significant fact was Fitzgerald's recognition that Summit Avenue had a "powerful character."

Was not the issue a matter of aesthetic judgment? the defense asked. Is not beauty in the eye of the beholder? Fridley answered, stating that "principles of historic preservation are not concerned with choosing up sides on whether this is a beautiful structure or not." The duplexes "might be pleasing to the eye," he said, "but not in this location." Emphasizing the same point, architect Scott replied to a similar question that a log cabin on Lake Saganaga on Minnesota's northern border may be very elegant in its setting but out of place on Summit Avenue. But houses on lower Summit Avenue, by the same token, would be obtrusive on Saganaga.

Was it not true that structures which failed to meet the criteria suggested by plaintiffs already had intruded on the alleged historic character of Summit Avenue? Fridley and Scott answered, "Yes." But both pointed out

Mr. Skrief is supervisor of the State Historic Preservation Office and legal counsel for historic preservation. He helped present the plaintiffs' case in the lawsuit discussed on these pages.

that very few had been constructed on lower Summit Avenue and none of those after the state and federal governments had officially recognized the avenue's historic significance. In fact, the witnesses pointed out, the area had been designated as historically significant despite the unfortunate intrusions. Perhaps the most eloquent synthesis of the plaintiffs' case was presented by Byron Starns, chief deputy attorney general for the state of Minnesota and principal attorney for the state and the society:

I think all of defendants' objections in this case reveal their misunderstanding of what this case is all about [he said in his closing arguments]. We are talking about preserving history. We agree with them that beauty is in the eye of the beholder. History, however, is not always beautiful, scenic, or aesthetic. History is a record of what happened and can never happen again. Whether beautiful or ugly that record is important and valuable to all of us.

I know when I go back to Georgia where I was born and look at the house that event took place in I don't see anything beautiful or aesthetic. I see a rusty tin roof and some gray clapboard siding and plumbing, and it's just a simple primitive house. But it tells me important things about who I am and where I came from. So the state is here today trying to protect an important collection of landmarks, not because they are beautiful by today's standards and not because rich people lived in them, particularly, but because they are living records of our collective past, of events and people that indirectly affect all of our lives today. The Congress and the State Legislature have determined that historic resources, such as those at stake here, should be preserved to provide a sense of community identity and direction. That collective interest in the community values that are threatened here is surely sufficient to require defendants to temporarily delay their project.

The court agreed and on April 11, 1977, issued a temporary injunction restraining defendants from proceeding with construction until a trial could be held on the merits of the case. Shortly before that trial was to begin, defendants made alterations to their plans. The plaintiffs found them minimally satisfactory and agreed that they would be the basis for settlement.

In the year since the conclusion of the lawsuit no one — except, perhaps, the defendants — has regretted the society's participation in the suit. Yet broad questions remain concerning the role of the society in historic preservation. In the Summit Avenue case, as in many activities of the society's preservation office, the society is not just a chronicler of Minnesota history but a participant in it. The appearance of Summit Avenue is now due

in part to the activities of the Minnesota Historical Society. Any history of the avenue must now include mention of this episode and the society.

Similarly, as a result of the society's preservation office and its grants program, the landscape throughout the state has been altered. A bakery in downtown Pipestone now has a reconstructed second-story bay window as the result of a society grant. Interstate highway 35 in Duluth will skirt the vacant Fitgers brewery rather than cut a path through it because of the society's statement that the brewery is historically significant. The landscaping which parallels Ninth Street in St. Paul reflects comments made by the society about the significance of Assumption Church. The original Hubbard County courthouse will be restored in part because of a society grant. Yet, the society is unsuccessful in some efforts to affect the landscape. Thousands of Twin Cities commuters, for example, now drive each day over a new, concrete Bloomington Ferry Bridge rather than over the original cast iron swing bridge which was demolished in 1977 in spite of the society's attempt to save it.

All of this activity has followed as a result of a movement which in its infancy argued only for the preservation of Minnesota's historic landmarks. Fort Snelling has been restored, as has the Ramsey House, the Mayo House, and many other obviously historic structures throughout the state. Their future seems, for the most part, to be secure. But the inspiration for these projects, historic preservation, has also become a password for many other persons with widely different goals. Urban planners view the rehabilitation of older structures as one of the major hopes for the revitalization of inner cities. Main Street businessmen in small towns throughout the state regard the restoration of their nineteenth-century commercial buildings as their economic salvation. Developers throughout the state have reconditioned older buildings — sometimes into another cluster of boutiques, other times into more conservative offices.

Each constituency describes historic preservation as its goal; many regard the historical society as a source of advice and assistance. Whether the society can distinguish the proper role for itself in historic preservation is an immediate and important question. Can the society, for example, distinguish its concern for the preservation of historically significant structures from those who wish to beautify the landscape as a whole? Is the society at the same time both an advocate and an unwilling ally of modern "urban pioneers," some of whom forget, as did Minnesota's nineteenth-century pioneers, that there are natives already residing in the settlement area and that success will result in their dislocation? Is it ironic that the society should be criticized, as it recently was, for suggesting that the rush toward preservation may be seen as a historical phenomenon of the late twentieth

century? Is it ironic that the society, after years of battling the redevelopment juggernaut in many cities, now finds itself pressed by many of the same cities to declare almost every old building historically significant?

It would seem appropriate for the society and those who describe themselves as preservationists to identify the variety of interests which the phrase "historic preservation" now seems to cover. In this discussion it may

be useful for the society to distinguish between those who create history and those whose primary role is to interpret history. Real estate developers, city planners, homeowners, and businessmen change the physical and, hence, the historical landscape. The Historical Society interprets these changes. As a result, the society may choose to reassert that, from its perspective, history should remain at the foundation of historic preservation.

Book Reviews

Theodore C. Blegen: A Memoir. By John T. Flanagan.
(Northfield, Minnesota, Norwegian-American Historical Association, 1977. ix, 181 p. \$7.00.)

THE AUTHOR, in his preface, makes a valid and important point. He remarks that "intimacy in personal relationships is not always the best preparation for the writing of a biography." Both Flanagan's respect and affection for the subject of this book are abundantly clear, but he is not entirely uncritical. The reader is fortunate that the author, although clearly an admirer of Blegen, was also meticulous in his use of sources, indefatigable in his interviewing, and not given to overgeneralization in his judgments. Furthermore, his writing and style seem to become more sprightly, informal, and alive as he moves along from the early to the later years of his subject's life.

If the comment in the preface is accurate, it must, in fairness, be pointed out that this reviewer was also friend, neighbor, golfing companion, fellow Sherlockian, and even, on rare occasions, poker-playing opponent of Blegen, facts which may erode critical judgment. The consequent temptation is always to write a postscript memoir rather than to review a biography; I shall try to resist it.

The author refers to his book as a "memoir," and uses the word in his subtitle. That is less pretentious than "biography," although the excellent work by Flanagan could qualify as either. Perhaps "biographical memoir" is as accurate a term as any.

Dean Blegen (it may be significant that friends, respecting his dignity, often addressed him as "dean," though he sometimes reminded them that his name was Ted) was for many years managing editor of the Norwegian-American Historical Association, under whose auspices this book was published. He taught at Hamline University, was superintendent of the Minnesota Historical Society, became professor of history and graduate-school dean at the University of Minnesota and was a lifelong critic, consultant, and writer. This book traces each of these intermixed careers clearly and accurately.

The early chapters of the work seem slightly less free-

flowing and rich than those which follow, but they do the necessary job of providing family and childhood background. It is in the chapter called "The Temper of the Man," however, that the memoir takes on life and vigor, and that the author, writing from his background as literary scholar and one deeply interested in folklore, identifies most closely with his subject and makes him almost as exciting to the reader as he obviously was to the writer. The sensitive way in which Flanagan describes Blegen's nomination (not "candidacy," because he did not campaign or even admit that he was a candidate) for the presidency of the University of Minnesota, indicates his understanding of academic politics. This was at the time James L. Morrill was chosen (1944) almost personally by Fred B. Snyder, chairman of the board of regents, who ignored the faculty selection committee. Snyder had been a very effective member and chairman of the board for many years, but at this point, in his mid-eighties, he made some ex-friends by failing to consult adequately with the constituencies of the university, either inside or outside.

It is another measure of the stature and character of Theodore Blegen that, far from resenting President Morrill, who was probably quite unaware of the lack of consultation, he became one of the new president's strongest supporters and, as Flanagan points out, joined a few of us who visited him on the morning of each birthday to present a bottle of champagne, sometimes chosen by the dean. (To our distress, we learned later that he did not like it.) The president depended heavily upon Blegen for advice, and it was always available, but presented graciously.

It should be clear from these few paragraphs that not only has the author provided us with a memoir of an exceptional man, but he has also provided us with significant bits of university history. In addition, the assignment of Blegen to survey the status of higher education in the state of New York is outlined clearly. That major task produced a set of pretty unpopular documents, and sketched out problems existing in other states as well, but some of the unwelcome advice was so skillfully structured and so persuasive that the controversy its author knew would follow did clear the academic and political air. Blegen makes all that clear in his book, *The Harvests of Knowledge*, which his biographer has obviously read with care and insight.

It is a special pleasure to note that the author does not

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