

**Landmarks Illinois Statement**

**To the Geneva Historic Preservation Commission**

**Regarding 4 E. State Street**

**July 18, 2023**

**Kendra Parzen, Advocacy Manager, Landmarks Illinois**

Good evening, Commissioners. My name is Kendra Parzen and I am Advocacy Manager for Landmarks Illinois. I previously commented on this application before your commission on January 18 of this year. I would like to take the opportunity this evening to restate our objection to the application, and to respond to a few of the comments made by the applicant throughout this hearing process.

First, since Mr. Patzelt previously submitted comment for the record questioning my qualifications to be opining on this matter, let me state that I am a fully qualified architectural historian exceeding the U.S. Secretary of the Interior’s qualification standards for that profession.

Second, I would like to respond to Mr. Patzelt’s assertion that the building should never have been landmarked because the Illinois Department of Natural Resources (IDNR) believes it to have no historic integrity. With all due respect, I disagree. When the City of Geneva designated this building a landmark in 2018, it found it to have sufficient integrity for designation. Integrity is subjective, and whether IDNR believes the building to have sufficient integrity for National Register designation today does not mean that the City of Geneva erred in finding that it had sufficient integrity for local designation in 2018. Landmarks Illinois believes that the building does have sufficient integrity to merit its designation. Furthermore, we support local advocates and Geneva residents who continue to affirm that this place is important to them as an emblem of Geneva’s history, which we also believe merits strong consideration both for determining landmark eligibility and upholding designation.

Third, at the May 2 hearing, Mr. Patzelt asserted that the initial landmark designation lowered the value of the property and was a “condemnation.” What he describes is also referred to as a “taking.” According to established United States case law (*Penn Central Transportation Company et al. v. City of New York,* 1978), landmark designation for the purpose of historic preservation does not constitute a taking. The *Penn Central* decision held that historic preservation is a legitimate governmental objective and that designating landmarks is an appropriate means for accomplishing historic preservation. It also established that a property owner must be denied *all* reasonable and beneficial use of their property to constitute a taking, not merely what the owner believes to be the highest and best use. As the Teska Associates report shows, that is not what has occurred here, and therefore no condemnation has taken place.

In conclusion, we believe that the City of Geneva made a correct and legitimate decision in 2018 when it chose to landmark the building at 4 E. State Street, and we urge the Commission to uphold that decision this evening. Thank you for considering my comments.