



877 W. Main Street, Suite 200
P.O. Box 1617
Boise, Idaho 83701-1617
T 208.344.6000
F 208.954.5934
HawleyTroxell.com

JUSTIN M. FREDIN
ADMITTED TO PRACTICE LAW IN IDAHO
EMAIL: JFREDIN@HAWLEYTROXELL.COM
DIRECT DIAL: 208.388.4825
DIRECT FAX: 208.954.5219

December 15, 2023

VIA E-MAIL

City of Garden City
Attn: Design Review
6015 Glenwood Street
Garden City, ID 83714
planning@gardencityidaho.org

Re: *SUBFY2022-0004 – Elle Estates*

To whom it may concern:

This firm represents Bliss Properties, LLC (“Bliss”), the owner of the property located at 4810 N. Adams Street, Garden City, Idaho (“Bliss Property”). Paul Martinet, the owner of the property located at 4800 N. Adams Street, Garden City, Idaho (“Martinet Property”), has applied to the City of Garden City (“City”) for plat approval for a multifamily residential development to be called Elle Estates (File No. SUBFY2022-0004). The Bliss Property is directly adjacent to the Martinet Property.

The western fifteen (15) feet of the Martinet Property is encumbered by an access easement benefitting the Bliss Property (“Easement”). Bliss learned of Mr. Martinet’s proposal in March 2022 and shortly thereafter engaged this firm to preserve and protect the Easement. As set forth in the attached notice, Bliss wishes to be an interested party and may wish to appeal any decisions made by the City regarding the Martinet Property.

On or about September 21, 2023, Mr. Martinet submitted an updated Combined Preliminary and Final Plat Subdivision application (“Application”) to the City. After learning of the Application, Bliss contacted Mr. Martinet’s architect, Maria Neu, to request certain design revisions that would safeguard the Easement (collectively, “Revisions”). Ms. Neu eventually

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informed Bliss that the Revisions would be made and submitted to the City; however, she stated that Mr. Martinet had asked her to refrain from further communications with Bliss.

Bliss subsequently attended a neighborhood meeting regarding the Application on December 7, 2023. At that meeting, Ms. Neu reiterated that the Revisions would be made and submitted to the City. However, without seeing updated plan sheets, Bliss cannot determine whether all of its concerns have been addressed.

Accordingly, out of an overabundance of caution, Bliss respectfully asks the City to reject any design that does not satisfy the following criteria:

- The Easement should be labelled as “4810 Adams Driveway Easement” on all plan sheets.
- There should be a continuous fence, with no gates, depicted along the entire eastern boundary of the Easement, such that Elle Estates residents, guests and pets will not have access to the Easement or the Bliss Property.
- Exterior elevations should demonstrate that the retaining wall/fence will be a minimum of six (6) feet in height above the finished grade of Elle Estates along the entire eastern boundary of the Easement.
- To ensure there are no encroachments into the Easement, plan sheets should depict the distance between the Easement and the retaining wall/fence along the entire eastern boundary of the Easement.
- Any drainage directed toward the Easement should be minimal, such that the driveway within the Easement will not be eroded by runoff.

Unless and until these criteria have been satisfied, Bliss will have no choice but to oppose the Application at public hearings and in correspondence to City staff and officials.

Thank you for your attention to this matter. If you have any questions concerning the contents of this letter, please do not hesitate to contact me directly.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY LLP



Justin M. Fredin

Encl.: Interested Party Notice

File: SUBFY2022-0004

I wish to be an interested party Yes ___ No

I wish to have the ability to appeal Yes ___ No

Name: Bliss Properties, LLC c/o Justin M. Fredin
Email : jfredin@hawleytroxell.com
Physical Address: 877 W. Main Street, Suite 200, Boise, ID 83702

Which design elements are of concern:

___ Massing

___ Architectural elements

___ Connectivity

___ Landscaping

___ Water features

Site layout

Other

Please elaborate: Please see letter from Justin M. Fredin dated December 15, 2023.

Signature Justin M. Fredin Date 12-15-23