



Date: July 18, 2024  
Project: Optical Engines  
Location: 2732 West Colorado Avenue  
Colorado Springs, CO  
To: Attn: Johnny Malpica, Planner II  
City of Colorado Springs  
Planning & Neighborhood Services

## Optical Engines – Use Variance Project Statement

### Project Description:

Optical Engines purchased the existing building at 2732 West Colorado Avenue in April of 2022 with hopes of adding a second location for their office and light industrial operations in addition to their current location at 2829 West Colorado Avenue.

This application is a request for a Use Variance to allow a portion of the building to be used for “Light Industrial” purposes which are not allowed outright in the current, updated Zone District, in addition to a street front facing Commercial Tenant and Office use which is permitted outright in the current Zone District. Optical Engines will have a maximum of 50 employees at this location.

### Land Use Statement:

#### 1. Proposed land uses, housing densities (as applicable), and development intensity:

The proposed land use for the existing 10,771 s.f. metal building at 2732 West Colorado Avenue is 60% office and Commercial Tenant Space, and 40% Light Industrial Use. The Owner is proposing to provide aesthetic and ADA upgrades to the existing Colorado Avenue facing facade of the building to promote an active streetfront, a safe and accessible entry for Optical Engines and a new Commercial Tenant space on the pedestrian oriented Colorado Avenue. The rear/alley facing portion of the building will be utilized for the production of lasers which has been deemed to fall into the “Light Industrial” category. The existing Mezzanine will be maintained as General Office use as well. While the use of the Commercial Tenant space is unknown until a tenant is procured the tenant use will be required to comply with the allowable uses in the Zoning District.

#### 2. Compatibility with adjacent development patterns:

The proposed use is very compatible with the adjacent development patterns. By placing “Zoning Compliant” uses along Colorado Avenue the pedestrian nature and vibrant street life of Colorado Avenue will be maintained and even enhanced. The existing building at 2732 West Colorado Avenue is a metal building well suited for Light Industrial use. By placing this use along the alley it minimizes any impact to adjacent business and helps to not overburden parking in the area by using a “light parking load” use of a portion of this existing metal building. Optical Engines currently operates a similar business less than a block away with no adverse impact to the neighborhood.

#### 3. Impact to adjacent developments including but not limited to light, noise, and traffic:

As demonstrated at Optical Engines current location there is no negative impact to adjacent developments by this use. It should be noted that the “Industrial” use here is VERY LIGHT. This is assembling small scale lasers with fiber optics, this is work done seated at a desk, not large scale industrial or manufacturing uses occur here.

### Use Variance Review Criteria:

#### 1. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class of uses in the same zone so that a denial of the Use Variance would result in undue property loss and not solely a mere inconvenience or financial disadvantage:

At the time of purchase of 2732 West Colorado Avenue the property was zoned as C-6 and “Light Industrial” uses were allowed outright by the Zoning Code, therefore at the time of purchase of the building Optical Engines’ proposed use was zone compliant. The property zoning was changed to MX-L while Optical Engines was repairing deferred maintenance items on the building (leaking roof, cracked masonry, etc.) and preparing construction documents for the building upgrades. Upon submittal of Construction documents it was discovered that the new Zone MX-L did not allow Light Industrial use. This extraordinary circumstance will result in Optical Engines not being able to utilize the building and create a catastrophic loss for the owner.

#### 2. That the Use Variance is necessary for the preservation and enjoyment of a property right of the and if not approved, the property or structure cannot yield any beneficial use;

As stated above, without the approval of this Use Variance Optical Engines will not be able to utilize this building.

**3. That the Use Variance will not be detrimental to the public welfare or convenience nor injurious to the property or improvements of the other owners of the property:**

This proposal includes the creation of a new “public-facing” street front commercial tenant space, and the inclusion of Optical Engines public facing entry and office space along Colorado Avenue. In addition major aesthetic improvements are proposed to the South facade of the building. These proposed uses comply with the new Zone outright and meet the intent of the code to provide a vibrant street front along Colorado Avenue and enhancing the look and feel of the block. This not only will not be detrimental to the public welfare it will improve it. By limiting the “Light Industrial” use to the alley facing side of the building we believe this proposal meets the intent of the code.

**4. That the hardship is not the result of the applicant’s own actions:**

This hardship was created solely by timing. At the time of purchase Optical Engines had done their due diligence and the C-6 Zone allowed their proposed use. It was only due to the unanticipated Zone Change that created this hardship.

**5. That because of these conditions, the application of the UDC prohibition on the requested use on the subject property would effectively prohibit or unreasonably restrict the use of the property:**

Optical Engines will not be able to utilize this building without the approval of this Use Variance.

**6. That the Use Variance is not being requested primarily to avoid the time or expense of complying with UDC standards generally applicable to similar properties and development:**

This is purely a Use request, there is no other option even with the addition of added time or expense.

Please feel free to contact me with questions and/or comments on this Project Statement.

Respectfully,

Echo Architecture, LLC

by

A handwritten signature in blue ink, appearing to read 'RL', is placed over a light blue rectangular background.

Ryan Lloyd

Architect