



AGENDA ITEM#: 65

MEMORANDUM

TO: Metropolitan Planning Commission

FROM: Mark Donaldson, Executive Director

DATE: March 12, 2009

SUBJECT: 3-A-09-OB
Use Determination for a neighborhood pharmacy in the OB zone district

Authority:

Permitted uses within the Office, Medical and Related Services (OB) zone district include, at 5.41.02 (O): Other uses similar in character to those enumerated above, and which in the opinion of the Planning Commission will not be injurious to the zone.

Background:

Applicant proposes to build a neighborhood pharmacy in an OB zone district. Such a neighborhood pharmacy would have a majority of its sales and floor area devoted to prescriptions and other medical services. It would have less than 5,000 square feet of floor area.

Applicant has asked the Planning Commission to determine that a neighborhood pharmacy is similar in character to other uses allowed within the zone district and will not be injurious to the zone.

The general description of the OB zone district is described at 5.41.01 and is as follows:

This zone is intended to provide areas for professional and business offices and related activities that require separate building and building groups surrounded by landscaped yards and open areas. The intent herein is to provide centralized compact locations for business offices, clinics, medical and dental offices near residential neighborhoods.

Uses permitted are described at 5.41.02 and include apartments, professional and business offices, hospitals, clinics, medical and dental offices, hotels, motels, banks, colleges and commercial parking lots or garages.

The term neighborhood pharmacy is not used elsewhere in the Knox County Zoning Ordinance as a permitted or prohibited use.

Criteria of Evaluation.

Section 5.41.02(O) requires two determinations by the Planning Commission in order to find that a proposed use may be permitted:

- The proposed use must be found to be similar in character to other allowed uses; and
- The proposed use must be found to be not injurious to the zone.

Similarity of character could further be analyzed in these ways:

- Comparing the actual proposed use to other allowed uses;
- Comparing the impact as described by intensity of users and vehicles of the proposed use to other allowed uses.

Analysis.

The OB district is intended to centralize medical uses and office and professional services together near residential neighborhoods. The neighborhood pharmacy sales and services could be viewed as accessory to the medical uses allowed within the district. The on-site medical services provided within the pharmacy also augment the other medical services that are allowed in the district. A neighborhood pharmacy seems complementary and similar to a hospital or medical clinic.

The impact of a neighborhood pharmacy would be no greater than the impact of a hospital, large office building or bank, college or commercial parking structure in terms of the vehicles and users attracted to the site. In fact, because a neighborhood pharmacy is closely associated with many of the allowed uses within the district (hospitals, elderly housing, medical clinics and offices) its location in close proximity to these uses may result in less transportation impact to the district and elsewhere in the community. A neighborhood pharmacy does not appear to be injurious to the intent of the zone district and potential uses within the zone.

Findings:

- 1) Staff finds that a neighborhood pharmacy, with a majority of its sales and floor area devoted to prescriptions and other medical goods and services, is similar in character to other allowed uses within the OB zone district.
- 2) Staff finds that the impact of a neighborhood pharmacy is comparable to other allowed uses within the OB district and will not be injurious to the zone district.

Staff Recommendation:

Staff recommends the Planning Commission approve as a permitted use within the Office, Medical and Related Services (OB) zone district a neighborhood pharmacy, with a majority of sales and floor area devoted to the dispensing, compounding and sale of prescription and non-prescription drugs, and the sale or rental of other medical equipment, supplies or services, and total developed floor area less than 5,000 square feet.



Mark Donaldson
Metropolitan Planning Commission
400 Main Street
Suite 403
Knoxville, TN 37902

3-A-09-0B

RE: Property at 273 S. Peters Road, Knoxville, TN 37923

Dear Mr. Mark Donaldson,

On behalf of Mac and Barbara Wilhoit, LLC, we would like to thank you for your consideration of allowing a Neighborhood Pharmacy use within the OB zoning. A Neighborhood Pharmacy provides a great service to the local residents, all while protecting the integrity of the OB zones. The type of Pharmacy our client is proposing is certainly not a "Walgreen's" or "CVS" type pharmacy. This is a locally owned, family operated pharmacy that is in business to sell prescriptions and offer other medical related services.

This use fits well into "office, medical, and related services", as the intent of the OB zoning, as stated in Article 5 of the "Zone Regulations", is to provide centralized compact locations for business offices, clinics, medical, and dental offices near residential neighborhoods. Typically prescriptions are prescribed at "medical offices, hospitals, or clinics", all uses of which are approved in the OB zone. There is a direct correlation with the amount of traffic in and out of a medical office as there is with a pharmacy. If you are sick, you go to the medical office, they write a prescription, and you visit the pharmacy on your way home. In most cases a customer is required to visit a medical office prior to receiving a prescription. The medical offices and other related services are already seeing similar traffic flows. This particular type of pharmacy would not increase or negatively impact the traffic in the OB zones, and the traffic is directly connected to the already approved uses.

A pharmacy use compliments existing uses already approved within the OB zoning. We have attached two supportive letters from neighboring uses, one a veterinary clinic and the other an assisted living facility. A pharmacy would directly supply these two neighboring uses, among others, with products that they and their customers demand on a daily basis. This pharmacy use does nothing to damage current uses, but instead is very beneficial and advantageous to those uses allowed within the OB zoning.

This particular type of pharmacy is much more prescription based than your national pharmacies. While the national chains use prescriptions as a draw to sell convenience items, our client uses high quality service to concentrate 95% of its business to prescriptions alone. Other services that would be offered include, medical counseling, patient medication therapy, and medication management. A more detailed description of the types of services our client would provide is attached along with this letter titled "Medical Services Description". This would also be a location for pharmacy students to have rotations where they will learn compounding and medication management. Some convenience items are necessary, but our client will not make those items the focal point of his business. Our client will also have "business hours" and will not be open 24-hours. Delivery is a service that would also be provided. Delivery is a great benefit to the area and allows the elderly to receive their prescriptions in the comfort of their own home.

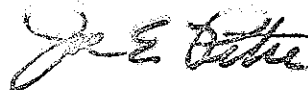
The design of this pharmacy blends well architecturally with the buildings currently found within the OB zoning. A very preliminary site plan and architectural rendering have been attached for your review. The seller of this property has put restrictions on building materials used in order to protect their interest, so this building will resemble many of the current buildings already in the area. A drive-thru is critical in order to provide convenience to customers. As banks are allowed within the OB zoning, this particular aspect of the pharmacy use would be no different than one that is already approved for banks. It will receive much less traffic than a bank drive-thru would on any given day.

The pharmacy business is changing everyday and it is a service that is vital to the health of our community. According to ESRI, there are projected to be 40,000 people above the age of 50 within 5 miles of this location by 2013. Allowing a local, neighborhood pharmacy within the OB zoning would benefit the community and blend extremely well within the currently approved uses. We thank you for considering this use within the "related services" of the OB zone.

Sincerely,



Lloyd Montgomery IV
Conversion Properties, Inc.



Joe Petre
Conversion Properties, Inc.

“Medical Services Description”

The North Peter’s Road facility that we propose will offer the people of Knoxville easy access to many needed healthcare services. The healthcare facility will provide medication therapy management, disease state management and screenings, immunizations and vaccinations, specialty packaged medication for complicated medication regimens and patients who have serious compliance issues, specialty compounded prescriptions, and prescription counseling on all new prescriptions.

Medication therapy management (MTM) is a service we provide that is designed to improve care, enhance communication among patients and providers, improve collaboration among providers, and optimize medication use for improved patient outcomes. Our MTM program includes five core components:

1. Medication therapy review (MTR)
 - The MTR is a face-to-face interaction that helps establish or enhance the pharmacist-patient relationship.
 - Allows our pharmacist the ability to observe signs of patient’s health problems or adverse reactions through conversation and visual cues.
 - Our pharmacists observations can result in early detection of medication related problems and thus can reduce emergency room visits, hospitalizations, and medication misadventures (noncompliance or inappropriate use)
2. A personal medication record (PMR)
 - A portable record of all medications (prescription and nonprescription medications, herbal products, and other dietary supplements)
 - The PMR is intended for patients to use in medication self-management and to voluntarily share with health care providers to enhance continuity of care.
3. A medication action plan (MAP)
 - Created collaboratively by the patient, pharmacist, physician and other health care providers as appropriate.
 - Contains information the patient can use to improve medication self-management.
4. Intervention and referral
 - During the MTM session, medication therapy problems may be identified that require the pharmacist to intervene on the patient’s behalf.
 - New problems discovered during MTR may necessitate referral to a physician for evaluation and diagnosis
 - The intent of intervention or referral is to optimize medication use, enhance continuity of care, and encourage patients to fully utilize available health care services to prevent future adverse outcomes, whether clinical, humanistic, or economic

5. Documentation and follow-up

- MTM services are documented in a consistent manner, and a follow-up MTM visit is scheduled with the patient or caregiver

The Medication Therapy Management service is a time intensive service that is designed to benefit those patients on complex medication regimens. These services will be provided in our private clinical counseling room. The private counseling room demonstrates our commitment to providing unique and much needed healthcare services to the Knoxville area and helps distinguish us as a healthcare leader in the industry.

Mac's Disease State Management and Screenings is a service we offer to our patients because we realize that pharmacists are the most easily accessible healthcare providers. The disease monitoring and screenings are an important part of helping our patients recognize problems early on to help prevent serious medical problems. Some of the disease management and screening programs that we aim to provide are:

1. Diabetes
 - Blood Glucose screening
 - Diabetes education/ classes
2. Blood pressure club
 - Record of monthly blood pressure readings to provide to patients physician and for patients self records
 - The program helps better determine the effectiveness of current blood pressure treatment as well as patient's improvement over time.
3. Hormone therapy
 - Saliva testing for hormone levels
 - Consultation with our Bio-Hormone Replacement Therapy Pharmacist
 - Dosing and prescribing of a safer alternative to synthetic hormone therapy in conjunction with your doctor's approval
4. Cholesterol Screening
 - Determine cholesterol levels for Total Cholesterol, LDL and HDL, and Triglycerides
5. Osteoporosis Screening
 - Measuring bone mineral density (BMD)
 - The purpose of BMD testing is to help predict the risk of future fracture.
 - The information from a BMD is used to aid a decision as to whether prescription medicine therapy is needed to help reduce the risk of fracture.

The facility will provide additional health services that consist of immunizations and vaccinations. The immunizations and vaccinations that we currently provide are:

- Flu vaccine
- Pneumovax

- Zostavax
- adult Tetanus-diphtheria
- MMR
- Varicella
- Lyme disease
- Hib

This is a healthcare service that we are continuing to expand and will be adding additional shots in the future.

Our healthcare facility will be offering the people of Knoxville and the surrounding areas a better way to take their medication with specialty packaged medication. This is a very important service that we offer the many patients who are on complicated medication regimens, or patients who have serious compliance issues. This is an important link in the healthcare chain and is another service that will benefit our patient's health.

Specialty compounded prescriptions is a healthcare service that will be provided to ensure that our patients have access to the medication that best fits their needs by creating customized medications that are tailored to their own physiological make-ups. This is a service that is provided through a doctor's prescription for the specialty-compounded medication. We feel this is a unique and important offering in the healthcare system because it does not fall in line with the "one-size-fits-all" approach of most other pharmacies and is a service that is greatly needed in the west Knoxville area.

Prescription counseling is a healthcare service that is provided upon the dispensing of the medication from the pharmacist to the patient. It is usually a brief but important encounter with the patient and can include parts of the following: the name of the medication, what the medication is for, how to take the medication, possible side effects and what to do if they occur, and answering any questions that the patient might have about the medication. This process is something that is not always done upon dispensing of medication but is something that we strive to achieve. It is an important step in educating the patient about their medication and helps to improve medication understanding and compliance.

In addition to all of the clinical services that our healthcare facility will be providing to the area, we will also be providing traditional pharmacy services. To better meet the needs of our patients we will be providing the following services: dispensing of prescription and OTC medication, delivery service, drive-thru prescription pick-up and drop off, online prescription refilling, and 24 hour prescription call in (recording).

Overall, Mac's Pharmacy is a locally owned and operated independent healthcare facility that provides and will continue to provide a long list of much needed healthcare services to the people of Knoxville. We believe that the facility certainly falls in the category of healthcare that the property is currently zoned under and after hearing our proposal we believe that the zoning committee should also view us as an important healthcare addition to the area.

NICK S. WRIGHT, DVM

263 S. Peters Road

865-693-7387

Knoxville, TN 37923

To: Conversion Properties or Whom It May Concern

**From: Dr. Nick Wright
Veterinary Services**

Date: February 10, 2009

Subject: Rezoning of Property

We are so thankful you are considering rezoning the property next door to our clinic. The addition of a pharmacy in this area is invaluable. We very much need someone to compound medications for our clients, that is more convenient for everyone involved. Presently, our clients are driving to another area to purchase compounded medications

Since we have been in business for a number of years, we have several older clients. Some of them are not capable of maneuvering the traffic on Kingston Pike. With the addition of a community type pharmacy in this area, this would enhance the lives of the older population, not only from a safety factor, but also from seeing the same pharmacist consistently.

I understand they may provide delivery service. This is another area that would be invaluable in this community.

If you have any questions, please give us a call at 693-7387.

Cordially,

Nick S. Wright, DVM

Nick Wright, DVM



Heritage Assisted Living

"Caring at its best"

February 9, 2009

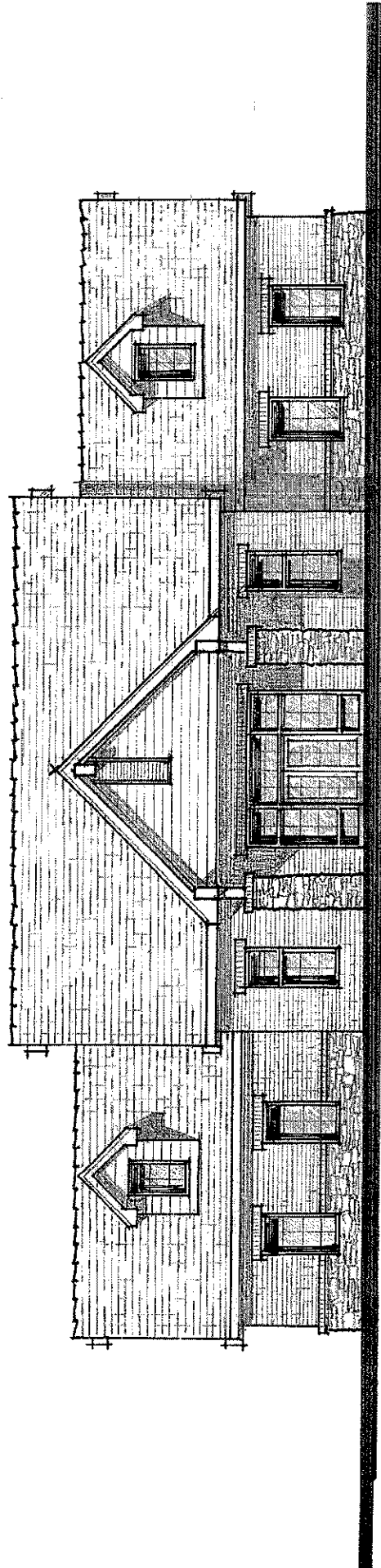
To Whom It May Concern:

I wish to state my support for the rezoning of the parcel of land located proximate to 273 S. Peters Road to allow for a neighborhood pharmacy. The convenience and services of such a pharmacy would be a benefit to the elderly population that resides in our community and would have a positive impact on the area.

Sincerely,

Burton A. Hall
Owner
Heritage Assisted Living

3-A-09-0B



Proposed Front Elevation

0 4' 8' 16'
 SCALE: 1/8" = 1'-0"

03-04-09

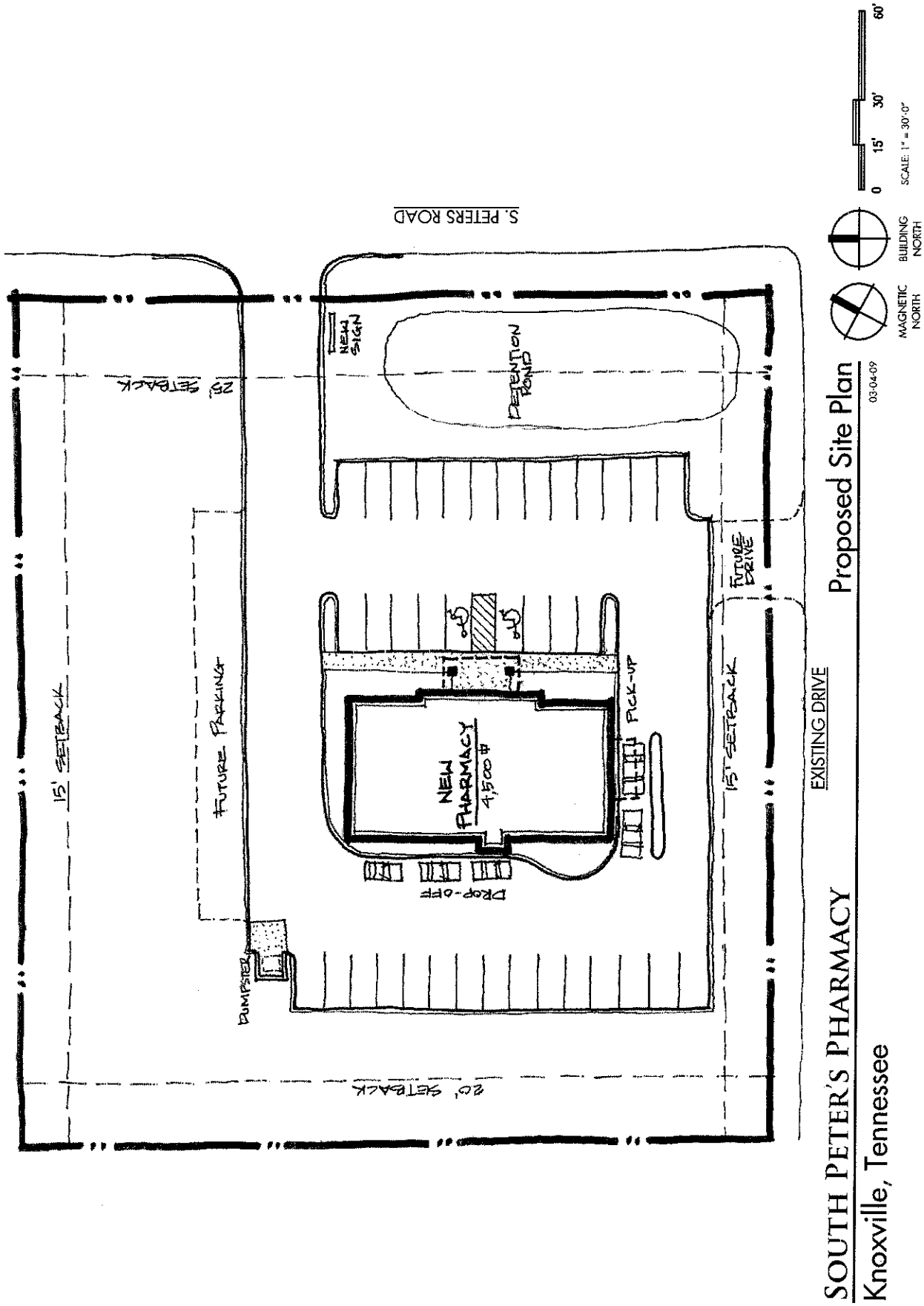
SOUTH PETER'S PHARMACY

Knoxville, Tennessee



Agenda Item # 65

MPC March 12, 2009



Proposed Site Plan

03-04-09

SOUTH PETER'S PHARMACY
Knoxville, Tennessee