



Thursday, August 31, 2006

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**Item(s) to Set Public Hearing(s)**  
**RECOMMENDATION FOR COUNCIL ACTION**

**ITEM No. 37**

**Subject:** Set a public hearing to consider an amendment to Section 25-2-4(B)(42) of the City Code to amend the definition of medical offices to include a compounding pharmacy use. (Suggested date and time: September 28, 2006 at 6:00 p.m., City Hall Council Chambers, 307 West Second Street.)

**Additional Backup Material**

(click to open)

No Attachments Available

**For More Information:** Wendy Walsh, 974-7719; Sylvia Arzola, 974-6448

On July 11, 2006, the Planning Commission recommended that Staff initiate a Code amendment to modify the definition of medical offices to include a compounding pharmacy use, not to exceed 5,000 square feet of gross floor area.

**Background:**

The Stonegate Pharmacy is proposed to open within a suite of an office development located at 2501 West William Cannon Drive. The proposed use is a compounding pharmacy.

Currently, the Austin City Code does not distinguish between a retail drugstore, classified as a general retail sales (convenience) use and a compounding pharmacy. The primary business focus of a drugstore is retail sales. Although drugstores sell prescription and non-prescription drugs and medical supplies, the scope of other items offered for sale encompasses everything else identified in the general retail sales (convenience) use: household cleaning and maintenance products, drugs, cards, stationery, notions, books, tobacco products, cosmetics, specialty items, apparel, jewelry, fabrics, cameras, photography services, household electronic equipment, records, sporting equipment, kitchen utensils, small home appliances, art supplies and framing, arts and antiques, paint, interior decorating services, office supplies, and bicycles.

A compounding pharmacy combines the elements of a medical laboratory with professional and consultation with a licensed pharmacist, and drugs and other medical supplies are dispensed to treat medical conditions. A compounding pharmacy must also have the on-site facilities required for compounding sterile pharmaceuticals, which includes a controlled antiseptic area that meets State requirements. In addition, a compounding pharmacist serves special needs patients, for example, those who may need an alternative method of drug transfer when oral ingestion is not possible.

The staff recommends approval of an amendment to the definition of medical offices as set forth in Chapter 25-2-4 (B)(42) to include a pharmacy use licensed by the state that does not exceed 3,000 square feet of gross floor area, and at which the primary business activity is the preparation and sale of prescription drugs, and the sale of non-prescription drugs, medical supplies, and other health care products, and where the sale of any other merchandise for personal or household use is permitted only as an accessory use (not to exceed 10% of the gross floor area). The 3,000 sq. ft. limitation will provide a key distinction between a pharmacy authorized as a medical office and

one which sells a greater variety and number of retail merchandise.

The Planning Commission will consider the proposed amendment on September 12, 2006,