



**AGENDA  
PLANNING AND ZONING COMMISSION  
APRIL 25, 2011  
5:30 P.M.**

THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SUNNYVALE TEXAS WILL MEET ON APRIL 25, 2011 AT 5:30 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL, 127 COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A. GOVERNMENT CODE SECTION 551.041. ITEMS TO BE DISCUSSED AND ACTED UPON ARE:

- **CALL MEETING TO ORDER**
- **CONVENE INTO EXECUTIVE SESSION PURSUANT TO V.T.C.A. GOVERNMENT CODE SECTION 551.071 - LITIGATION**

**EXECUTIVE SESSION AGENDA:**

**1. DEWS VS TOWN OF SUNNYVALE**

- **RECONVENE INTO OPEN SESSION AND TAKE ANY ACTION NECESSARY AS A RESULT OF THE EXECUTIVE SESSION**
- **ADJOURN**

*ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING. MEMBERS OF THE PUBLIC ARE REQUESTED TO LIMIT THEIR COMMENTS, WHETHER AT THE PUBLIC FORUM OR DURING A PUBLIC HEARING, TO NO MORE THAN FIVE (5) MINUTES.*

*THE SUNNYVALE TOWN COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.086 (ECONOMIC DEVELOPMENT).*

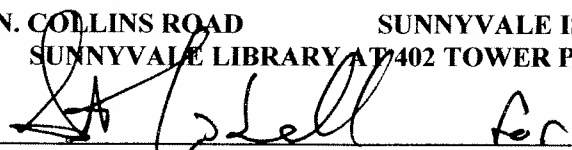
*THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.*

**I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON THIS THE 21st DAY OF APRIL 2011 IN THE FOLLOWING LOCATIONS:**

**TOWN HALL AT 127 N. COLLINS ROAD**

**SUNNYVALE ISD 417 E. TRIPP ROAD**

**SUNNYVALE LIBRARY AT 7402 TOWER PLACE**

  
\_\_\_\_\_  
**KATHRYN DEWEY, TOWN SECRETARY**



**AGENDA  
TOWN OF SUNNYVALE  
PLANNING AND ZONING COMMISSION  
SPECIALLY CALLED MEETING  
APRIL 25, 2011  
7:00 P.M.**

THE PLANNING AND ZONING COMMISSION OF THE TOWN OF SUNNYVALE, TEXAS WILL CONDUCT A JOINT PUBLIC HEARING AND MEETING WITH THE TOWN COUNCIL ON APRIL 25, 2011 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL LOCATED AT 127 N. COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A., GOVERNMENT CODE SECTION 551.041. ITEMS TO BE DISCUSSED:

- **CALL MEETING TO ORDER**

**ITEM 1: CONTINUATION OF JOINT PUBLIC HEARING OF COMMISSION REGARDING THE FOLLOWING ITEMS:**

- A. REQUEST BY VCZ DEVELOPMENT LLC FOR AMENDMENT TO LAND USE DIAGRAM OF COMPREHENSIVE PLAN FROM INDUSTRIAL AND COMMERCIAL LAND USE CATEGORIES TO URBAN DENSITY RESIDENTIAL LAND USE CATEGORY.**
- B. REQUEST BY VCZ DEVELOPMENT LLC FOR AMENDMENT OF OFFICIAL ZONING MAP FROM INDUSTRIAL AND HIGHWAY COMMERCIAL ZONING DISTRICTS TO ATTACHED HOUSING COMMERCIAL DISTRICT, APPROVAL OF CONCEPT PLAN FOR DISTRICT, APPROVAL OF WAIVERS AND INCENTIVES AND INCLUSION OF DEVELOPMENT STANDARDS FOR DISTRICT.**

**ITEM 2: CLOSE OR CONTINUE PUBLIC HEARING**

**ITEM 3: DELIBERATE AND FORMULATE A REPORT TO TOWN COUNCIL REGARDING (ITEM A), AMENDMENT TO LAND USE DIAGRAM OF COMPREHENSIVE PLAN; AND (ITEM B) OFFICIAL ZONING MAP AMENDMENT, APPROVAL OF CONCEPT PLAN, WAIVERS AND INCENTIVES, AND INCORPORATION OF DEVELOPMENT STANDARDS.**

**ITEM 4: DELIVER REPORT AND RECOMMENDATION TO TOWN COUNCIL REGARDING (ITEM A), AMENDMENT TO LAND USE DIAGRAM OF COMPREHENSIVE PLAN; AND (ITEM B) OFFICIAL ZONING MAP AMENDMENT, APPROVAL OF CONCEPT PLAN, WAIVERS AND INCENTIVES, AND INCORPORATION OF DEVELOPMENT STANDARDS.**

**• ADJOURN**

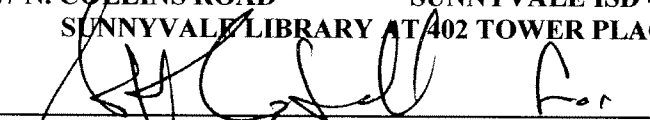
*ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING. MEMBERS OF THE PUBLIC ARE REQUESTED TO LIMIT THEIR COMMENTS, WHETHER AT THE PUBLIC FORUM OR DURING A PUBLIC HEARING, TO NO MORE THAN FIVE (5) MINUTES.*

*THE SUNNYVALE TOWN COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.086 (ECONOMIC DEVELOPMENT).*

*THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.*

**I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON THIS THE 21st DAY OF APRIL 2011 IN THE FOLLOWING LOCATIONS:**

**TOWN HALL AT 127 N. COLLINS ROAD                      SUNNYVALE ISD 417 E. TRIPP ROAD  
SUNNYVALE LIBRARY AT 402 TOWER PLACE**

  
\_\_\_\_\_  
**KATHRYN DEWEY, TOWN SECRETARY**



**AGENDA  
TOWN OF SUNNYVALE  
SUNNYVALE TOWN COUNCIL  
SPECIALLY CALLED MEETING  
APRIL 25, 2011  
6:00 P.M.**

THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS WILL CONDUCT A SPECIALLY CALLED MEETING ON APRIL 25, 2011 AT 6:00 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL LOCATED AT 127 N. COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A., GOVERNMENT CODE SECTION 551.041 AND GOVERNMENT CODE SECTION 551.071. ITEMS TO BE DISCUSSED:

- **CALL MEETING TO ORDER**
  
- **CONVENE INTO EXECUTIVE SESSION PURSUANT TO V.T.C.A. GOVERNMENT CODE SECTION 551.071 - LITIGATION**  
**EXECUTIVE SESSION AGENDA:**
  1. **LITIGATION - DEWS VS TOWN OF SUNNYVALE**
  2. **LITIGATION - VULCAN LANDS, LLC VS TOWN OF SUNNYVALE**
  
- **RECONVENE INTO OPEN SESSION AND TAKE ANY ACTION NECESSARY AS A RESULT OF THE EXECUTIVE SESSION**
  
- **ADJOURN**

*ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING. MEMBERS OF THE PUBLIC ARE REQUESTED TO LIMIT THEIR COMMENTS, WHETHER AT THE PUBLIC FORUM OR DURING A PUBLIC HEARING, TO NO MORE THAN FIVE (5) MINUTES.*

*THE SUNNYVALE TOWN COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.086 (ECONOMIC DEVELOPMENT).*

*THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.*

**I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON THIS THE 21st DAY OF APRIL 2011 IN THE FOLLOWING LOCATIONS**

**TOWN HALL AT 127 N. COLLINS ROAD      SUNNYVALE ISD 417 E. TRIPP ROAD  
SUNNYVALE LIBRARY AT 402 TOWER PLACE**

  
\_\_\_\_\_  
**KATHRYN DEWEY, TOWN SECRETARY**



**AGENDA  
TOWN OF SUNNYVALE  
SUNNYVALE TOWN COUNCIL  
REGULAR MEETING  
APRIL 25, 2011  
7:00 P.M.**

THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS WILL CONDUCT A JOINT PUBLIC HEARING AND MEETING WITH THE PLANNING AND ZONING COMMISSION ON APRIL 25, 2011 AT 7:00 P.M. IN THE COUNCIL CHAMBERS OF THE SUNNYVALE TOWN HALL LOCATED AT 127 N. COLLINS ROAD, SUNNYVALE, TEXAS UNDER V.T.C.A., GOVERNMENT CODE SECTION 551.041. ITEMS TO BE DISCUSSED:

- **CALL MEETING TO ORDER**
- **INVOCATION**
- **PLEDGE OF ALLEGIANCE**

**ITEM 1: CONSIDERATION OF RESOLUTION NO. 11-07: A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO PROVIDE WRITTEN CONSENT FOR THE ASSIGNMENT OF THE TAX ABATEMENT AGREEMENT BETWEEN THE TOWN OF SUNNYVALE AND CP SUNNYVALE PROPERTY, LTD TO SABRA HEALTH CARE REIT, INC.**

**ITEM 2: CONTINUATION OF JOINT PUBLIC HEARING OF TOWN COUNCIL REGARDING THE FOLLOWING ITEMS:**

- A. REQUEST BY VCZ DEVELOPMENT LLC FOR AMENDMENT TO LAND USE DIAGRAM OF COMPREHENSIVE PLAN FROM INDUSTRIAL AND COMMERCIAL LAND USE CATEGORIES TO URBAN DENSITY RESIDENTIAL LAND USE CATEGORY.**
- B. REQUEST BY VCZ DEVELOPMENT LLC FOR AMENDMENT OF OFFICIAL ZONING MAP FROM INDUSTRIAL AND HIGHWAY COMMERCIAL ZONING DISTRICTS TO ATTACHED HOUSING COMMERCIAL DISTRICT, APPROVAL OF CONCEPT PLAN FOR DISTRICT, APPROVAL OF WAIVERS AND INCENTIVES AND INCLUSION OF DEVELOPMENT STANDARDS FOR DISTRICT.**

**ITEM 3: CLOSE OR CONTINUE PUBLIC HEARING**

**ITEM 4: RECESS TOWN COUNCIL MEETING (AS NECESSARY)**

**ITEM 5: RECONVENE TOWN COUNCIL MEETING AND CONSIDER REPORT FROM PLANNING AND ZONING COMMISSION REGARDING (ITEM A), AMENDMENT TO LAND USE DIAGRAM OF COMPREHENSIVE PLAN; AND (ITEM B) OFFICIAL ZONING MAP AMENDMENT, APPROVAL OF CONCEPT PLAN, WAIVERS AND INCENTIVES, AND INCORPORATION OF DEVELOPMENT STANDARDS.**

**ITEM 6: CONSIDER ORDINANCE NO. 531: AN ORDINANCE AMENDING ZONING ORDINANCE NO. 324, DULY PASSED BY THE TOWN COUNCIL ON JANUARY 31, 2000; AS AMENDED BY ORDINANCE NOS. 324, 332, 338, AND 339; AND AS AMENDED FROM TIME TO TIME; SO AS TO CHANGE THE TOWN'S COMPREHENSIVE PLAN AND LAND USE DIAGRAM FROM COMMERCIAL (C) AND INDUSTRIAL (I) TO URBAN DENSITY RESIDENTIAL (UDR) AND THE TOWN'S OFFICIAL ZONING MAP FROM HIGHWAY COMMERCIAL (HC) AND INDUSTRIAL (I) TO ATTACHED HOUSING COMMERCIAL (AHC), APPROVING AND INCORPORATING A CONCEPT PLAN, DEVELOPMENT STANDARDS AND CONDITIONS ON A PORTION OF THAT CERTAIN PROPERTY LYING WITHIN THE TRINITY COHWELL SURVEY, ABSTRACT NO 335, CONSISTING OF 17.25 ACRES MORE OR LESS, IN THE TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS AND LOCATED GENERALLY ON THE WEST SIDE OF PLANTERS ROAD, APPROXIMATELY 1,000 FEET SOUTH OF U.S. HIGHWAY 80, OWNED BY RKS TEXAS INVESTMENTS, LP, AS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS HEREIN; PROVIDING FOR INCENTIVES AND FOR A GUARANTY AND SECURED PARTICIPATION AGREEMENT; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**• ADJOURN**

*ALL LOCATIONS IDENTIFIED ARE IN THE TOWN OF SUNNYVALE UNLESS OTHERWISE INDICATED. FOR A DETAILED PROPERTY DESCRIPTION, PLEASE CONTACT THE BUILDING OFFICIAL AT TOWN HALL. ALL ITEMS ON THE AGENDA ARE FOR POSSIBLE DISCUSSION AND ACTION. PLEASE TURN OFF ALL TELEPHONES AND HANDHELD COMMUNICATION DEVICES WHILE IN ATTENDANCE AT THIS MEETING. MEMBERS OF THE PUBLIC ARE REQUESTED TO LIMIT THEIR COMMENTS, WHETHER AT THE PUBLIC FORUM OR DURING A PUBLIC HEARING, TO NO MORE THAN FIVE (5) MINUTES.*

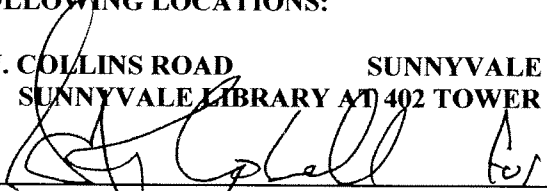
*THE SUNNYVALE TOWN COUNCIL RESERVES THE RIGHT TO ADJOURN INTO EXECUTIVE SESSION AT ANY TIME DURING THE COURSE OF THIS MEETING TO DISCUSS ANY OF THE MATTERS LISTED ABOVE, AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.071 (CONSULTATION WITH ATTORNEY), 551.072 (DELIBERATION ABOUT REAL PROPERTY), 551.073 (DELIBERATIONS ABOUT GIFTS AND DONATIONS), 551.074 (PERSONNEL MATTERS), 551.076 (DELIBERATIONS ABOUT SECURITY DEVICES), AND 551.086 (ECONOMIC DEVELOPMENT).*

*THE TOWN OF SUNNYVALE IS COMMITTED TO COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA). REASONABLE ACCOMMODATIONS AND EQUAL ACCESS TO COMMUNICATIONS WILL BE*

*PROVIDED TO THOSE WHO PROVIDE NOTICE TO THE DIRECTOR OF COMMUNITY SERVICES AT 972-226-7177 AT LEAST 48 HOURS PRIOR TO THE MEETING.*

**I HEREBY CERTIFY THAT THE FOREGOING NOTICE WAS POSTED ON THIS THE 21st DAY OF APRIL 2011 IN THE FOLLOWING LOCATIONS:**

**TOWN HALL AT 127 N. COLLINS ROAD                      SUNNYVALE ISD 417 E. TRIPP ROAD  
SUNNYVALE LIBRARY AT 402 TOWER PLACE**

  
\_\_\_\_\_

**KATHRYN DEWEY, TOWN SECRETARY**

# Memo

**To:** Mayor and Town Council  
**From:** Scott Campbell, Town Manager   
**CC:**  
**Date:** April 21, 2011  
**Re:** Agenda Item 1 - Tax Abatement Agreement for Texas Regional Medical Center @ Sunnyvale

---

Last week the owners of the TRMC @ Sunnyvale, Cottonwood Parter's LLC, notified the Town of their pending sale of the hospital to Sabra Health Care, Inc. As you are aware, as an incentive for the hospital project, the Town entered into a tax abatement agreement with Cottonwood Partners in 2009. The language in the tax abatement agreement states it cannot be assigned (unless to an entity affiliated or controlled by Cottonwood Partners) without the Town's written consent. The attached resolution represents such authorization by council. Cottonwood Partners anticipates closing on the sale by the first week of May.

This is a real estate transaction only, as the hospital's management (Rockwall Hospitals Inc.) will remain unchanged. Attached are pages from the buyer's website ([www.sabrahealth.com](http://www.sabrahealth.com)) relative to the purchase of the hospital. Their website also contains SEC filings and other required reporting, as well as detailed portfolio.

Attorney Walt McCool drafted the 2009 tax abatement agreement and participated in the Town's due diligence effort with Cottonwood Partners as the Town contemplated incentives for the hospital project. I asked Mr. McCool to visit the Cottonwood Offices in Southlake this week to review their documents related to the sale. He has since reported to me that the documents are in order, and he finds no issues of concern regarding the buyer.

From our conversations with Cottonwood Partners, and our research of Sabra Health Care Inc., staff recommends approval of the attached resolution authorizing the Town's written consent to the assignment of the tax abatement agreement to Sabra Health Care Inc.



**RESOLUTION NO. 11-07**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS AUTHORIZING THE MAYOR OR HIS DESIGNEE TO PROVIDE WRITTEN CONSENT FOR THE ASSIGNMENT OF THE TAX ABATEMENT AGREEMENT BETWEEN THE TOWN OF SUNNYVALE AND CP SUNNYVALE PROPERTY, LTD TO SABRA HEALTH CARE REIT, INC.**

**WHEREAS**, in 2009 the Town Council entered into a Tax Abatement Agreement (“AGREEMENT”) with CP Sunnyvale Property, Ltd. For the property known as the Texas Regional Medical Center at Sunnyvale, and

**WHEREAS**, section IX of AGREEMENT, *Successors and Assigns* states that AGREEMENT may not be assigned to another entity without the Town of Sunnyvale’s written consent, and

**WHEREAS**, the Town of Sunnyvale has received notification from CP Sunnyvale Property, LTD of their intention to sell the Texas Regional Medical Center at Sunnyvale to Sabra Health Care REIT, Inc., and

**WHEREAS**, it is the desire of CP Sunnyvale Property, LTD, to assign AGREEMENT to Sabra Health Care, REIT, Inc. in conjunction with the sale of the Texas Regional Medical Center at Sunnyvale, and

**WHEREAS**, the Town of Sunnyvale has exercised all due diligence relative to CP Sunnyvale Property’s LTD. sale of the Texas Regional Medical Center at Sunnyvale to Sabra Health Care, REIT, Inc.,

**NOW, THEREFORE, BE IT RESOLVED:**

**That the Town Council of the Town of Sunnyvale, Texas authorizes the Mayor or his designee to provide to CP Sunnyvale Property, LTD written consent for the assignment of the Tax Abatement Agreement between the Town of Sunnyvale and CP Sunnyvale Property, LTD to Sabra Health Care, REIT, Inc to be effective as of the final closing of the sale of the Texas Regional Medical Center at Sunnyvale to Sabra Health Care, REIT, Inc.**

Passed, Approved, and Adopted this the 25<sup>th</sup> Day of April, 2011 by a vote of \_\_\_\_\_ ayes  
and \_\_\_\_\_ naves.

ATTEST:

\_\_\_\_\_  
Kathryn Dewy, Town Secretary

\_\_\_\_\_  
David Byrd, Mayor

---

**UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549**

---

**FORM 8-K**

---

**CURRENT REPORT**

**PURSUANT TO SECTION 13 OR 15(d) OF THE  
SECURITIES EXCHANGE ACT OF 1934**

**Date of Report (Date of earliest event reported): March 30, 2011**

---

**SABRA HEALTH CARE REIT, INC.**

(Exact name of registrant as specified in its charter)

---

**Maryland**  
(State of Incorporation)

**001-34950**  
(Commission File Number)

**27-2560479**  
(I.R.S. Employer Identification No.)

**18500 Von Karman, Suite 550**  
**Irvine, CA**  
(Address of principal executive offices)

**92612**  
(Zip Code)

**Registrant's telephone number including area code: (888) 393-8248**

(Former name or former address, if changed since last report.)

---

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
-

---

**ITEM 1.01 ENTRY INTO A MATERIAL DEFINITIVE AGREEMENT****Purchase and Sale Agreement for the Texas Regional Medical Center**

On March 30, 2011, Sabra Health Care REIT, Inc. (the "Company"), entered into an agreement to purchase (the "Purchase Agreement") the Texas Regional Medical Center of Sunnyvale, a 70-bed acute care hospital located outside of Dallas, Texas, (the "Texas Regional Medical Center") from CP Sunnyvale Property, Ltd, a Texas limited partnership, (the "Seller"). The facility opened to the public in September 2009 and is leased pursuant to a long term, triple net lease to Texas Regional Medical Center Ltd, (the "Tenant") a partnership which includes approximately 75 physicians who practice at the hospital. Under the terms of the Purchase Agreement, the Company will make an earnest money deposit of \$0.3 million.

The purchase price for the Texas Regional Medical Center of \$62.7 million will be funded from the Company's available cash and is expected to provide an initial yield of 9.25% from cash rent.

The Purchase Agreement is subject to customary conditions, including the satisfactory completion by the Company of its due diligence. The Seller is not affiliated with the Company.

There can be no assurance that the Company will complete the acquisition. In some circumstances, if the Company fails to complete the acquisition, it may forfeit the \$0.3 million of earnest money.

**ITEM 9.01 FINANCIAL STATEMENTS AND EXHIBITS**

## (d) Exhibits

99.1 Press Release of Sabra Health Care REIT, Inc., dated March 31, 2011

---

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned thereunto duly authorized.

SABRA HEALTH CARE REIT, INC.

/S/ HAROLD W. ANDREWS, JR.

Name: Harold W. Andrews, Jr.

Title: Executive Vice President, Chief Financial  
Officer and Secretary

Dated: March 31, 2011

## EXHIBIT 99.1

**Sabra Health Care REIT Announces First Acquisition**

IRVINE, CA, March 31, 2011 – Sabra Health Care REIT Inc. (NASDAQ: SBRA) announced today that on March 30, 2011, it entered into an agreement to purchase the Texas Regional Medical Center of Sunnyvale, a 70-bed acute care hospital located outside of Dallas, Texas. The facility opened to the public in September 2009 and is leased pursuant to a long term, triple net lease to Texas Regional Medical Center Ltd, a partnership which includes approximately 75 physicians who practice at the hospital.

The purchase price of \$62.7 million will be funded from Sabra's available cash and is expected to provide an initial yield of 9.25% from cash rent.

"The Texas Regional Medical Center at Sunnyvale is a state of the art facility. The premier physicians in the community are associated with the hospital and the management team is first class. We are pleased that this acquisition serves as the first step toward diversifying away from our primary tenant as well as broadening our asset class base," stated Rick Matros, Chairman and CEO.

The purchase agreement is subject to customary conditions, including the satisfactory completion by Sabra of its due diligence. Sabra expects that the transaction will close during the second calendar quarter of 2011.

**ABOUT SABRA**

Sabra Health Care REIT, Inc. (NASDAQ: SBRA), a Maryland Corporation, is a self-administered, self-managed real estate investment trust that, through its subsidiaries, owns and invests in real estate serving the healthcare industry. Sabra leases properties to tenants and operators throughout the United States. As of December 31, 2010, Sabra's portfolio consisted of 67 skilled nursing facilities, ten combined skilled nursing, assisted living and independent living facilities, five assisted living facilities, two mental health facilities, one independent living facility and one continuing care retirement community with a total of 9,603 licensed beds in 19 states.

**FORWARD-LOOKING STATEMENTS SAFE HARBOR**

Statements made in this release that are not historical facts are "forward-looking" statements (as defined in the Private Securities Litigation Reform Act of 1995) that involve risks and uncertainties and are subject to change at any time. These statements may be identified, without limitation, by the use of "expects," "believes," "intends," "should" or comparable terms or the negative thereof. Forward-looking statements in this release include the Company's expectation that the closing of the hospital acquisition will occur during the second calendar quarter of 2011 and the Company's expectations regarding the terms of the lease it expects to assume in connection with the closing of the acquisition.

These statements are made as of the date hereof and are subject to known and unknown risks, uncertainties, assumptions and other factors—many of which are out of the Company's control and difficult to forecast—that could cause actual results to differ materially from those set forth in or implied by forward-looking statements. These risks and uncertainties include the ability of the parties to the purchase agreement to satisfy each of the conditions to closing in the purchase agreement and other factors discussed from time to time in our news releases, public statements and/or filings with the Securities and Exchange Commission (the "SEC"), especially the "Risk Factors" sections of our Annual and Quarterly Reports on Forms 10-K and 10-Q, including our Annual Report on Form 10-K for the fiscal year ended December 31, 2010. We assume no, and hereby disclaim any, obligation to update any of the foregoing or any other forward-looking statements as a result of new information or new or future developments, except as otherwise required by law.

Contact:

Investor & Media Inquiries: (949) 679-0410

###



**TOWN OF SUNNYVALE, TEXAS  
ORDINANCE NO. 531**

**AN ORDINANCE AMENDING ZONING ORDINANCE NO. 324, DULY PASSED BY THE TOWN COUNCIL ON JANUARY 31, 2000; AS AMENDED BY ORDINANCE NOS. 324, 332, 338, AND 339; AND AS AMENDED FROM TIME TO TIME; SO AS TO CHANGE THE TOWN'S COMPREHENSIVE PLAN AND LAND USE DIAGRAM FROM COMMERCIAL (C) AND INDUSTRIAL (I) TO URBAN DENSITY RESIDENTIAL (UDR) AND THE TOWN'S OFFICIAL ZONING MAP FROM HIGHWAY COMMERCIAL (HC) AND INDUSTRIAL (I) TO ATTACHED HOUSING COMMERCIAL (AHC), APPROVING AND INCORPORATING A CONCEPT PLAN, DEVELOPMENT STANDARDS AND CONDITIONS ON A PORTION OF THAT CERTAIN PROPERTY LYING WITHIN THE TRINITY COHWELL SURVEY, ABSTRACT NO 335, CONSISTING OF 17.25 ACRES MORE OR LESS, IN THE TOWN OF SUNNYVALE, DALLAS COUNTY, TEXAS AND LOCATED GENERALLY ON THE WEST SIDE OF PLANTERS ROAD, APPROXIMATELY 1,000 FEET SOUTH OF U.S. HIGHWAY 80, OWNED BY RKS TEXAS INVESTMENTS, LP, AS BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS HEREIN; PROVIDING FOR INCENTIVES AND FOR A GUARANTY AND SECURED PARTICIPATION AGREEMENT; PROVIDING FOR CONFLICTS AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town of Sunnyvale and entered into a certain Settlement Stipulation and Order in the matter styled *Dews v. Town of Sunnyvale*, United States District Court for the Northern District of Texas, Case No. 3:88 CV-1604-O on April 15, 2005; and

**WHEREAS**, the Settlement Stipulation states that the Town shall provide for zoning for 70 "Target Units," which are to be reserved for rent or sale to low and moderate income households at rent or mortgage levels defined in the agreement ("Target Rates") and updated by Town Resolution No 07-11; and

**WHEREAS**, the Town Council amended the Zoning Ordinance to create an Attached Housing Commercial (AHC) District by Ord. No. 462, which was reserved for the development of the Target Units specified in the Settlement Stipulation; and

**WHEREAS**, RKS Texas Investments LP ("Property Owner") owns certain vacant property generally located on the west side of Planters Road, approximately 1000 feet south of U.S. Highway 80, consisting of approximately 17.25 acres (the "Subject Property"), and now zoned as a Highway Commercial (HC) District and an Industrial (I) District, which Subject Property is more fully described by metes and bounds, which is attached hereto and incorporated herein by reference as Exhibit A; and



**WHEREAS**, VCZ Development, LLC (“Developer”), with the authorization of Property Owner, filed an application on March 13, 2011, for rezoning the Subject Property from a Highway Commercial (HC) District and an Industrial (I) District to an Attached Housing Commercial (AHC) District and has requested a corresponding amendment to the Land Use Diagram of the Comprehensive Plan from Commercial and Industrial land use categories to an Urban Density Residential land use category; and

**WHEREAS**, Developer proposes to construct 96 fourplex dwelling units (the “Project”) that qualify as Target Units under the AHC District regulations, as set forth in the Concept Plan, which is attached hereto and incorporated herein as Exhibit B; and

**WHEREAS**, Developer also has requested certain waivers of performance standards for the AHC District and has identified alternative development standards, as allowed by the AHC District regulations; and

**WHEREAS**, Developer has further requested that the Town provide financial incentives in order to facilitate development of the Subject Property for Target Units; and

**WHEREAS**, Developer proposes to submit its application for an award of tax credits to the Texas Department of Housing and Community Affairs for the 2012 award cycle in order to provide financing for the Project; and

**WHEREAS**, in the event that Developer is not awarded tax credits for the 2012 award cycle, Developer represents that it intends to submit its application for an award of tax credits to the Texas Department of Housing and Community Affairs for the 2013 award cycle in order to provide financing for the Project; and

**WHEREAS**, Property Owner and Developer have commenced negotiations on purchase by Developer for use of the Subject Property exclusively for Target Units, as depicted and described in Developer’s applications to the Town; and

**WHEREAS**, Property Owner has requested that the Town postpone the effective date of the amendatory ordinance until the Texas Department of Housing and Community Affairs has committed to award Tax Credits for development of the Project; and

**WHEREAS**, the Town Council finds that the proper notices of the proposed amendments to the Land Use Diagram and Zoning Map as required by law have been given to all adjoining property owners, and the general public of the Town of Sunnyvale; and

**WHEREAS**, the Planning and Zoning Commission and the Town Council of the Town of Sunnyvale conducted a joint public hearing on April 18, 2011, which hearing was continued to and re-convened on April 25, 2011, for purposes of taking testimony for approval of Developer’s requested amendments; and

**WHEREAS**, the Planning and Zoning Commission provided its report and recommendation of approval of Developer's requested amendments to the Land Use Diagram of the Comprehensive Plan and the rezoning of the Subject Property to the Town Council on April 25, 2011, subject to conditions; and

**WHEREAS**, the Town Council considered the report and the recommendations of the Planning and Zoning Commission regarding such proposed amendments to the Land Use Diagram and Zoning Map on April 25, 2011; and

**WHEREAS**, the Town Council under the Zoning Ordinance may attach conditions to comprehensive plan and zoning map amendments; and

**WHEREAS**, the Town Council makes the following findings:

- (1) The Project as proposed meets the density, building size, unit size and structural dimensions of the AHC District regulations;
- (2) The Project as proposed provides nearly twice the amount of usable open space required by the AHC District regulations;
- (3) The Project as proposed is located within one-half mile of employment and shopping opportunities;
- (4) The Project as proposed will provide 96 Target Units;
- (5) The waivers and alternative performance standards requested by Developer are reasonable and meet the intent and purpose of the AHC District and achieve the same objectives as the particular standards that are to be waived, taking into account the quality of the development and the provision of more than the minimum number of Target Units required by the District; and
- (6) The financial incentives to be provided by the Town are necessary to provide incentives to Developer so that Target Units may be developed at Target Rates.

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SUNNYVALE, TEXAS;**

**SECTION 1.** That the above recitals are found to be true and correct and are incorporated herein for all purposes.

**SECTION 2.** That the Town Council hereby amends the Land Use Diagram of the Comprehensive Plan for the Subject Property from the land use categories of Industrial and Commercial to the Urban Density Residential land use category, subject to conditions that follow.

**SECTION 3.** That the Town Council hereby amends the Official Zoning Map of the Town

to change the zoning district classification of the Subject Property from a Highway Commercial (HC) District and an Industrial (I) District to an Attached Housing Commercial (AHC) District, subject to conditions that follow.

**SECTION 4.** That the Town Council hereby approves the Concept Plan for development of the Subject Property, as attached hereto as Exhibit B, and prescribes that development of the Subject Property shall be consistent with the approved Concept Plan in all significant respects.

**SECTION 5.** That the Town Council declares the purpose of the AHC District to be the provision of 96 Target Units to be developed and maintained at Target Rates, as hereinafter set forth.

**SECTION 6.** That the allowed uses of the District shall be fourplex dwelling units and associated private recreational facilities, including but not limited to an amenity center, swimming pool and other usable open space improvements.

**SECTION 7.** That development of the District shall be in accordance with the development and performance standards set forth in the AHC District regulations and any standards incorporated by reference therein, and that all subsequent development applications shall be evaluated and acted upon in accordance therewith; provided, however, that the following waivers and alternative development and performance standards are hereby granted and authorized:

- (1) Fire Wall. Each fourplex structure shall be constructed with a 2-hour fire rated wall separating one unit from another, and each unit shall be provided with sprinklers, as provided in the Town's adopted Building Codes, notwithstanding any requirement in section 9.5.D.1.f of the Zoning Ordinance to the contrary, which is hereby expressly waived to the extent necessary for implementation of this paragraph.
- (2) Solid Waste Container Screening. Solid waste containers shall be screened with minimum 6-foot tall treated wood fencing enclosures with metal posts, notwithstanding any requirement in section 20.5.B.4.a(8)(e)(i) of the Zoning Ordinance to the contrary, which is hereby expressly waived to the extent necessary for implementation of this paragraph.
- (3) Masonry Exterior Construction. The exterior of all building exteriors shall be constructed with at least 75% brick or stone (excluding windows and doors). Cementitious, fire-resistant fiberboard siding may be used up to a maximum of 25% of the buildings' exteriors, as depicted on the building elevations for the Project, which are attached hereto and incorporated herein by reference as Exhibit C, notwithstanding sections 9.A.4.B.2, 9.5.D.1.g and 20.8 of the Zoning Ordinance to the contrary, which are hereby expressly waived to the extent necessary for implementation of this paragraph.
- (4) Covered Parking. The provision that half of the parking spaces required for the Project be covered or enclosed, as prescribed in section 9A.4.B.5 of the Zoning Ordinance hereby is expressly waived.

- (5) Security Fencing/Gates. Section 9A.4.B.8 of the Zoning Ordinance, to the extent of its applicability to fourplex dwelling unit complexes, hereby is expressly waived.
- (6) Tree Survey & Mitigation. The requirement that Developer perform a detailed tree survey and tree protection plan, as set forth in section 20.4.D of the Zoning Ordinance, prior to approval of a subsequent development application for the Project hereby is expressly waived, and the tree replacement standards in section 20.4.F of the Zoning Ordinance are also expressly waived. In lieu of such requirements, Developer shall provide a generalized tree survey that identifies protected trees that are to be preserved during the construction process, which shall be submitted with the site plan application for the Project.
- (7) Usable Open Space Trees. The requirement that Developer plant at least one large tree for every 1,000 square feet of usable open space, as set forth in section 20.3.C.3.d of the Zoning Ordinance, hereby is expressly waived for open space area B, as designated on the Concept Plan. The requirement applies to open space area A, as designated on the Concept Plan.

**SECTION 8.** That the Town Council hereby approves the following incentives for development of the Project, the terms of which shall be further specified in a guarantee and participation agreement between the Town and Developer:

- (1) All impact fees that otherwise are applicable to development of the Project are waived, provided that all dwelling units constructed meet the standards of affordability specified in 42 U.S.C. section 12745.
- (2) The costs of water meters for the Project and all associated tap fees for the Project are waived.
- (3) Building permit fees for the Project are waived.
- (3) The Town shall grant Developer a temporary development and construction loan in an amount not to exceed \$180,000 for a term not to exceed 3 years.
- (4) The Town shall provide Developer a grant equivalent to contingency fees associated with purchase of the land, not to exceed \$60,000, payable only upon the occurrence of the contingencies.

**SECTION 9.** That the following conditions apply:

- (1) Target Rates for the Project shall not exceed the following, as may be amended by the Town by resolution from time to time:

1 Bedroom Dwelling Units: \$ 713 per month;

2 Bedroom Dwelling Units: \$ 868 per month;  
3 Bedroom Dwelling Units: \$ 1,147 per month.

- (2) Developer and Property Owner shall enter into a contract for purchase of the Subject Property by Developer, with the Town as third party beneficiary, for development of the Project for Target Units, not later than May 31, 2011;
- (3) Developer shall enter into a guaranty and secured participation agreement with the Town in accordance with the requirements of Section 9A.5.B of the Zoning Ordinance that contains the following terms, not later than May 31, 2011:
  - (a) The terms and conditions for incentives to be provided by the Town pursuant to this Ordinance;
  - (b) A requirement that Developer develop, construct and maintain the Project for Target Units and maintain Target Rates for such Units; and
  - (c) A requirement that Developer submit an eligible application to the Texas Department of Housing and Community Affairs for the Project as approved by the Town for the 2012 tax credit award cycle and, if necessary, an eligible application to the Texas Department of Housing and Community Affairs for the Project as approved by the Town for the 2013 tax credit award cycle.

**SECTION 10.** That all ordinances and Code provisions of the Town of Sunnyvale, Texas, that are in conflict with this Ordinance shall be and the same are hereby superseded to the extent in conflict, and all ordinances and Code provisions of said Town not so expressly repealed are hereby retained in full force and effect.

**SECTION 11.** It is the intent of the Town Council that each paragraph, sentence, subdivision, clause, phrase or section of this Ordinance be deemed severable, and should any such paragraph, sentence, subdivision, clause, phrase or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to affect the validity of those provisions of the ordinance left standing, nor the validity of any code or ordinance as a whole.

**SECTION 12.** This Ordinance shall take effect at 5:00 p.m. on May 31, 2011, unless the conditions specified in section 9(2) and 9(3) have not been satisfied, in which case this Ordinance shall be deemed null and void.

DULY PASSED AND APPROVED by the Town Council, the Town of Sunnyvale, on this the 25<sup>th</sup> day of April, 2011.

---

David Byrd, Mayor, Town of Sunnyvale

ATTEST:

---

Kathryn Dewey, Secretary, Town of Sunnyvale