

EXHIBIT 1

MITIGATION FINDINGS AND FINDINGS CONCERNING ALTERNATIVES FOR THE PROJECT LOCATED AT 600 BARBER LANE

SECTION 1: MITIGATION FINDINGS PURSUANT TO CEQA GUIDELINES SECTION 15091

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Sections 15091 and 15163(e), the City Council hereby makes the following findings with respect to the potential for significant environmental impacts from the project located at 600 Barber Lane ("Project") and means for mitigating those impacts. The impacts and mitigations included in the following findings are summarized rather than set forth in full. The Draft and Final EIR documents are incorporated herein by reference and should be consulted for a complete description of the impacts and mitigations.

Less than Significant Impact with Mitigation

Impact LU-1: The proposed project conflicts with the regulations adopted for the purpose of avoiding or mitigating an environmental effect.

MM LU-1.1: Prior to issuance of an occupancy permit, the developer shall construct a helicopter pad meeting the requirements of the Milpitas Fire Department.

Finding: The proposed project, including the condition of project approval requiring the construction of a helicopter pad, would not result in land use conflicts upon the surrounding land uses and vice-versa, or any other land use impacts.

Impact TR-1: *McCarthy Boulevard/Bellew Drive* – Intersection operations degrade from LOS D- to LOS E during the PM peak.

MM TR-1.1: *McCarthy Boulevard/Bellew Drive* - Prior to issuance of a building permit, the developer shall restripe or pay a fair share contribution towards the restriping of the existing eastbound approach (i.e., one left turn, one through, and one right turn lane) to provide two left turn lanes and one shared through/right turn lane, which would provide acceptable (LOS D) operations. This improvement, in conjunction with optimizing the signal coordination along the McCarthy Boulevard corridor, would also provide acceptable midday operations at this intersection. Installation of the double eastbound left turn lanes requires median island and traffic signal modification work on Bellew Drive from Barber Lane to Technology Drive and on McCarthy Boulevard from Bellew Drive to Ranch Drive. To ensure proper operation, these improvements must also be coordinated with modifications for the intersection of Bellew Drive and Cypress Drive.

Impact TR-2: *SR 237/I-880 NB Ramps* – Traffic from the proposed project exacerbates LOS F operations during the PM peak hour.

MM TR-2.1: *SR237/I-880 NB Ramps* - Prior to issuance of a building permit, the developer shall convert the northbound center left-turn lane to a shared left- and right-turn lane, which would provide acceptable (LOS D) operations. Coordination with Caltrans will be required to implement this improvement. Coordination with Caltrans will be required to implement this improvement, which may require traffic signal and/or median island modifications.