

▶ **ALAN L. WALLACE** MEMBER



**Alan L. Wallace**

Two Union Square  
601 Union Street, Suite 4100  
Seattle, Washington 98101  
Office: (206) 628-6771  
Fax: (206) 628-6611  
Email: [awallace@williamskastner.com](mailto:awallace@williamskastner.com)

**AL WALLACE** is a Member of Williams Kastner’s business and real estate practice group and has more than 25 years of experience counseling private and non-profit real estate owners, developers and investors in obtaining, protecting, and litigating real property rights. Using experience gained by working as a city planner prior to law school, Alan often uses long-established relationships with local government staff, attorneys and elected officials to efficiently obtain results for clients.

While always working in the area of securing land use entitlements on reasonable terms, Alan’s practice also focuses on asserting property owner interests when facing threats of condemnation or approval of local improvement district (“LID”) formation or assessments. Recognizing that one can usually fight condemnations and LID’s at the front end, the decision-making and legislative stage, or at the back end, which is simply a fight over valuations, Alan has achieved notable results in stopping or shaping condemnation and LID actions that otherwise would be adverse to property owner interests.

**Professional Experience**

Assists clients in obtaining land use entitlements that often involve many layers of federal, state and local regulation. Drafting and lobbying for passage of land use legislation and litigating land use. Helps shape county zoning and comprehensive planning amendments through lobbying efforts. Represents clients in administrative and judicial processes affecting real estate developments and ownership.

2002 - Present	Williams Kastner, Member
1988 - 2002	Cairncross & Hempelmann, P.S., Member
1982 - 1986	City of Redmond Planning Department, Planner
1980 - 1982	City of Redmond Planning Department, Associate Planner
1979 - 1980	City of Mercer Island Planning Department, Planning Technician
1977 - 1978	City of Tacoma Department of Human Development, Planner

**▶ ALAN L. WALLACE MEMBER****Education**

University of Washington, J.D., 1988

University of Washington, M.A., Public Administration, 1984

University of Washington, B.A., Urban Planning, 1977

**Representative Work****Impact Fees**

- Appealed King County's collection of impact fees when issuing building permits to construct a sub-regional shopping center as not properly crediting cost of developer's arterial road improvements. Obtained settlement in the amount of \$1,652,542 for client.
- Contested water district's assessment of \$865,000 water impact fee for large resort residential community in Eastern Washington. Threatening litigation for slander of title, water district withdrew impact fee assessment.
- Appealed city's assessment of traffic impact fee for shopping center. Obtained settlement refund of \$450,000 by negotiating settlement.

**Real Estate Transaction Due Diligence**

- Represent numerous Real Estate Investment Trusts ("REIT's"), institutional and individual investors in vetting land use interests and regulatory compliance for pending acquisitions. Work with local governments to take actions often necessary to clean up problems.
- Negotiate settlement and land use approvals with City of Kirkland for new owner of Plaza at Yarrow Bay office campus to construct a stream channel answering prior owner's tort claim for flooding damages.

**Land Use Entitlements**

- Represent CRISTA Ministries in obtaining Master Development Plan approval for CRISTA's Shoreline campus. Working with city Attorney, obtain dismissal of two land use petitions in King County Superior Court contesting SEPA compliance of Master Development Plan and subsequent King's High School STEM building permit.
- Represent solid waste disposal company in obtaining conditional use permit for construction and operation of the East Clark County Solid Waste Transfer Station. Work with Clark County counsel to obtain dismissal of two land use petitions in Clark County Superior Court contesting zoning and SEPA compliance.
- Advise property owner coalition, Redmond Industries for a Clean Environment, to answer city wellhead protection program demand to retrofit storm water infrastructure to comply with current standards by securing expert opinion and arguing lack of nexus. City revised compliance demand by agreeing to provide an 80% subsidy for retrofits and by confirming retrofits will not trigger other code compliance demands.
- Represent asphalt company in obtaining approvals to construct a new asphalt plant. Successfully defend adequacy of environmental impact statement ("EIS") before Clark County Hearing Examiner and Board of County Commissioners, and obtain dismissal of subsequent land use petition contested in Clark County Superior Court.
- Facing undue permitting delays, advise shopping center developer on commencing grading of gravel pit under authority of state reclamation permit, leveraging quick subsequent approval of local government grading permit.
- Lead counsel for permitting North Bend gravel mine on Grouse Ridge. Secure approval of County legislation authorizing use, work closely with King County Deputy Prosecuting Attorney to uphold adequacy of EIS in

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- two Superior Court actions, and to obtain dismissal of declaratory judgment action contesting zoning compliance, affirmed in Court of Appeals decision of *Grandmaster Sheng-Yen Lu v. King County*, 110 Wn. App. 92 (2002).
- Obtain Court of Appeals affirmance of legal nonconforming use rights authorizing continuing asphalt plant operations in response to county litigation seeking to close plant. *Jefferson County v. Lakeside Industries*, 106 Wn. App. 380 (2001).
  - Contest Kitsap County decision that client's permit application for multi-family development had expired by filing land use petition in Pierce County Superior Court, and obtain settlement re-instating permit and protecting project's vested status.

**Condemnation/Eminent Domain**

- Represent owner of Class A office building contesting Northwest Pipeline Company's lawsuit seeking to condemn portion of parking lot to construct a natural gas pipeline testing facility. Retaining pipeline experts from Texas, defeat Northwest's claim of "public use and necessity," secure city's assertion of SEPA authority, and obtain settlement resulting in relocation of testing facility from client's property.
- Represent a large industrial developer in answering King County's demand to acquire or condemn 8 acre portion of 25 acre industrial redevelopment site, which would make large scale industrial warehouse redevelopment uneconomic. Secure support of City of Seattle Office of Economic Development for relocation of County's proposed Combined Sanitary Sewer Overflow ("CSSO") facility to alternative site, argue for relocation with King County Executive and department staff, and draft Memorandum of Understanding for County, City and a large industrial developer execution setting terms for relocating CSSO facility from client's site.

**Memberships**

Washington State Bar Association

King County Bar Association

Building Owners and Managers Association (Board of Directors, 2017 - Present)

Government Affairs Committee

Bellevue Youth Soccer Club

**Recent Presentations**

- Presenter, "Land Use Regulation of Condominiums Versus Apartments," *American Planning Association of Washington 2014 Annual Convention*, Seattle, WA, 2014
- Presenter, "Condemnations and Local Improvement Districts," *BOMA Professional Education Series*, Seattle, WA, 2012