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156-169 **LUCIJA AŽMAN MOMIRSKI**

NEGOTIATING DYNAMIC VARIABLES
IN URBAN REGENERATION PROCESS
CASE STUDY OF THE DEGRADED KRANJ
RAILWAY STATION AREA

SCIENTIFIC SUBJECT REVIEW
UDC 711.4:725.31 (497.4 KRANJ)"20"

PREGOVARANJE DINAMIČKIH VARIJABLI
U PROCESU URBANE REGENERACIJE
DEGRADIRANO PODRUČJE ŽELJEZNIČKE STANICE
U KRANJU – STUDIJA SLUČAJA

PREGLEDNI ZNANSTVENI ČLANAK
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FIG. 1 THE OLD KRANJ RAILWAY STATION IS A CULTURAL MONUMENT OF LOCAL IMPORTANCE THAT HAS DECLINED BECAUSE OF ITS DEGRADED SURROUNDINGS
SL. 1. STARA ŽELJEZNIČKA STANICA U KRANJU KULTURNI JE SPOMENIK LOKALNOG ZNAČAJA KOJI JE DEGRADIRAN ZBOG ZAPUSTENE OKOLICE

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PREGOVARANJE DINAMIČKIH VARIJABLI U PROCESU URBANE REGENERACIJE DEGRADIRANO PODRUČJE ŽELJEZNIČKE STANICE U KRANJU – STUDIJA SLUČAJA

DEGRADED URBAN AREA
DYNAMIC VARIABLES
KRANJ, SLOVENIA
NEGOTIATION
URBAN REGENERATION
URBAN VISION

DEGRADIRANO URBANO PODRUČJE
DINAMIČKE VARIJABLE
KRANJ, SLOVENIJA
PREGOVARANJE
URBANA REGENERACIJA
URBANA VIZIJA

Negotiations between the public and private sectors in the urban regeneration process can help achieve public interest objectives. Two conventional urban indicators, the floor area ratio [FAR] and the site coverage ratio [SCR], are used as steering instruments to examine the success of the city's entrance into dynamic negotiations with private owners. A comparison of the starting development vision and final result at the conclusion of the negotiations shows that the negotiation process has yielded significant benefits for all parties involved.

Pregovori između javnog i privatnog sektora u procesu urbane regeneracije mogu pomoći u postizanju ciljeva od javnog interesa. Dva konvencionalna urbana indikatora – koeficijent iskorisćenosti [K_{is}] i koeficijent izgrađenosti [K_{ig}] koriste se kao instrumenti za ispitivanje uspjeha u dinamičnim pregovorima grada s privatnim vlasnicima. Usporedba početne vizije razvoja i konačnog rezultata pri kraju pregovora pokazuje da je pregovarački proces polučio značajne koristi za sve uključene sudionike.

INTRODUCTION

UVOD

In 1961 a revision of the New York City zoning ordinance¹ introduced floor area ratio [FAR]² (and other maximum bulk regulations³) into urban planning, and some authors refer to this event as the greatest innovation in twentieth-century American urban planning.⁴ Consequently it was possible to express urban condition in an abstract unit, to compare the density of one city with another, and to narrow the perceptions and visions of private investors and public administration. The relevant unit of measure became the individual parcel itself, and the relationship between public interest, private profit, and varieties of design proposal was much clearer. A maximum value of fifteen repetitions in the height of the parcel surface was no longer a maximum value, but a first bid by the city in negotiating urban form with private owners. These owners could have exceeded the maximum value, but in this case they were obliged to offer something in return to the city. The approach would become known as incentive zoning⁵ or the plaza bonus⁶, and would mean that upper building limits could be transgressed legally. In the mid-twentieth century there were no high-quality open public spaces in Manhattan, but the new rules offered an opportunity to provide such spaces on private parcels, specifically for plazas, which were "located on private property yet, but unlike zoning's yards, courts, and other open spaces, physically accessible to the public-at-large".⁷ The developers would be granted

"a bonus of extra zoning floor area for use in their building, above what would otherwise be allowed by the zoning, if the developer would provide a plaza".⁸ Such incentives were not first codified in New York, but in Chicago⁹, where the basic allowable density was set too high for the bonus to be utilized. In contrast, the city of New York opened up the power of zoning it held in an affirmative and encouraging manner rather than negatively and restrictively¹⁰, and the measure was a success¹¹, although the aesthetic ideal was defined economically.¹²

Research subject – Can related negotiations based on bulk regulations (dynamic variables) also be used to help solve the problems of urban regeneration, which is an important aspect of planning in Europe?¹³ Former factory buildings, decaying industrial areas, and places with degraded infrastructure nodes have become sites that are available for investment and further development.

What is urban regeneration? – Urban regeneration is a process that mostly evolved in Europe after the Second World War. It was

¹ See https://www1.nyc.gov/assets/planning/download/pdf/about/city-planning-history/zoning_maps_and_resolution_1961.pdf [12.3.2018.]

² Floor Area Ratio or FAR is the total allowed building floor area on a zoning lot divided by the area of the zoning lot. In the 1961 Zoning Resolution, the top base FAR was set at 15 [RAUTIOILA, 2016: 19]. Also *floor space index* [FSI]. In Germany, this ratio is referred to as the *Geschossflächenzahl* [LEHNERER, 2009: 175]. Different definitions of what the floor area can be found: "The floor area of a building is the sum of the gross area of each floor of the building, excluding mechanical space, cellar space, floor space in open balconies, elevators or stair bulkheads and, in most zoning districts, floor space used for accessory parking that is located less than 23 feet above curb level" [<http://www1.nyc.gov/site/planning/zoning/glossary.page/14.11.2017/>]. Building basement floor areas (garages, car parks, cellars) are usually not calculated for the floor area of a building unless these floors are living space (e.g., for housing, business premises, or bars) or in primary use of the building (e.g., a garage) [DIMITROVSKA ANDREWS, 2011: 38].

³ "Bulk regulations are the combination of controls (lot size, floor area ratio, lot coverage, open space, yards, height and setback) that determine the maximum size and placement of a building on a zoning lot." See <http://www1.nyc.gov/site/planning/zoning/glossary.page/14.11.2017/>

⁴ LEHNERER, 2009: 175

⁵ Incentive zoning: New York inaugurated this in conjunction with the 1961 Zoning Resolution to interest developers of both residential and office towers in creating privately owned public spaces within or outside their buildings. [KAYDEN, 2000: 11]

⁶ Plaza Bonus: "In exchange for providing certain public amenities, buildings may in some cases surpass the maximal values that normally apply (max. building height, utilization, etc.)." [LEHNERER, 2009: 41]

⁷ KAYDEN, 2000: 11

⁸ KAYDEN, 2000: 11

⁹ LEHNERER, 2009: 177

¹⁰ KAYDEN, 2000: 11

¹¹ However, the design quality of some spaces has been questionable: they were functionally inaccessible or devoid

caused by the postwar decline of industries.¹⁴ Urban regeneration is a multidisciplinary field with many definitions. Some definitions focus more on planning issues: "Urban regeneration (of the degraded urban area) is a definite local, contemporary, sustainable physical planning strategy for redevelopment of degraded urban parts of the city. These are areas that have undergone economic stagnation, physical decay, and/or social strife leading to value depreciation. Urban regeneration is the coordinated activity that targets these areas with rehabilitation planning policies, strategies and programs."¹⁵ Other authors focus more on public sector leadership, locality, and outcomes: "Urban regeneration is area-based intervention which is public sector initiated, funded, supported, or inspired, aimed at producing significant sustainable improvements in the conditions of local people, communities, and places suffering from aspects of deprivation, often multiple in nature."¹⁶ Urban regeneration solutions must be compatible with the goals of sustainable development¹⁷, and to achieve these goals the public sector considered planning

of amenities that can attract public use. See <https://urban-regeneration.worldbank.org/node/21> [5.5.2018.].

¹² WILLIS, 1995

¹³ Since the 1990s, the European Union has played a key role in leading member states' urban policy and regeneration practice: the Urban Pilot Projects, the URBAN Community Initiative, and the URBACT network in the last 2007-2013 cycle have been fundamental elements in building urban regeneration in EU cities. [ACIERNO, 2017: 9]

¹⁴ Since then, the evolution of urban regeneration policy has changed directions several times. Following British examples, it has thematically evolved from comprehensive redemption (in the 1950s to 1960s), public welfare (in the mid-1960s to the late 1970s), economic development (in the mid-1970s onwards), private sector property-led regeneration (in the 1980s), local area-based partnerships (in the early and mid-1990s), local strategic partnerships (in the late 1990s), and sustainable places (at the beginning of the twenty-first century) [MCDONALD, MALYS, MALIENÉ, 2009: 52]. The last two phases still overlap in practice.

¹⁵ AŽMAN MOMIRSKI, OVEN, STANIĆ, 2011

¹⁶ LEARY, 2013: 2

¹⁷ Sustainable development is defined as development taking into account the needs of the present generations without compromising the ability of future generations to satisfy their own needs within global physical limitations. The United Nations described seventeen Sustainable Development Goals by adopting the 2030 Agenda for Sustainable Development in 2015. The seventeenth and last goal is titled Revitalize the Global Partnership for Sustainable Development. See <http://www.un.org/sustainabledevelopment/> [2.11.2017.].

¹⁸ CORREIA DE FREITAS, AMADO, 2013

¹⁹ See <https://urban-regeneration.worldbank.org/node/21> [23.4.2018.].

²⁰ Many American cities use incentive zoning as a "land use tool that enables developers to achieve extra floor area when they provide affordable housing and, in some zones, other public amenities." See <https://www.seattle.gov/Documents/Departments/OPCD/Vault/IncentiveZoningUpdate/IncentiveZoningOverview.pdf> [23.4.2018.].

²¹ KOIZUMI, 2009: 9

²² See <http://urban-regeneration.worldbank.org/about> [29.10.2017.].



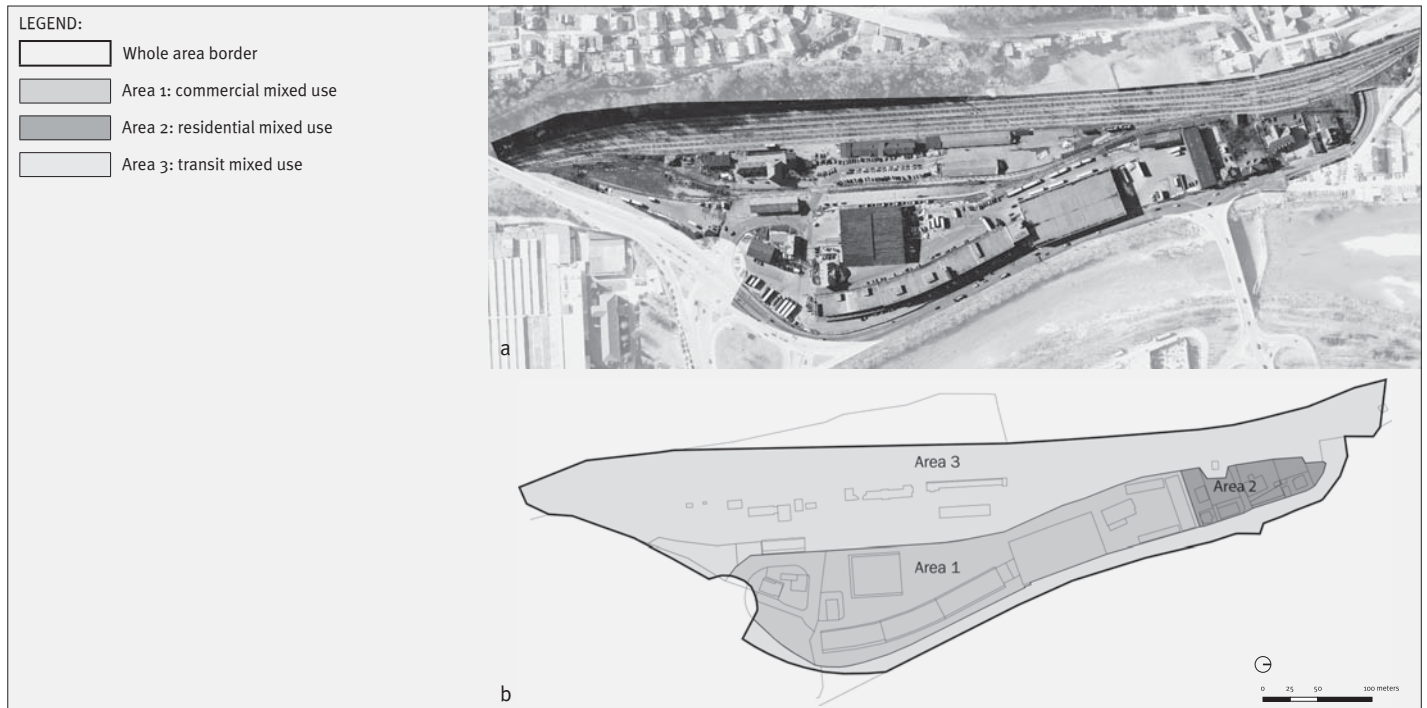
as a way of integrating them with communities' desires.¹⁸ For sustainable development to be successful, this requires partnerships among the actors in the various urban processes, including within the urban regeneration process.

In the United States, an up-zoning approach is used by cities for "changing the zoning to allow for higher-value (for example, from industrial to residential) or more dense use (for example, increasing allowable FAR)".¹⁹ Washington, DC is an example of how a city can use up-zoning to advance its vision for urban regeneration.²⁰ Similarly, Japan's urban regeneration policy uses incentive zoning as a method to create public open spaces when promoting urban development projects.²¹

Tools for urban regeneration – The World Bank defines four tools for urban regeneration: scoping, planning, financing, and implementation.²² The scoping phase provides the analytical foundation, and the planning phase establishes the long-term vision and context. In the financing phase, private funding is incentivized because large-scale urban regeneration projects require immense resources for proper planning and implementation. In the implementation phase, the vision for long-term change is translated into the multiple relationships between the public and private sectors, including structuring organizations that can viably exist through multiple political administrations and develop contracts to translate the vision into a tangible partnership between the public and private sectors. Effectively planning an urban regeneration area will balance vision (which is the first step to formulating the second tool, planning), spatial documents, and planning principles, and negotiations among the public sector, private sector, and community. It is vital that the vision would be checked in line with the development initiatives, the inevitable changes, and unforeseen challenges

FIG. 2 THE MERKUR WAREHOUSES ON THE EAST SIDE OF THE DEGRADED KRANJ RAILWAY STATION AREA SHOW FACADES IN DISREPAIR, REFLECTING THE COMPANY'S BUSINESS PROBLEMS

SL. 2. MERKUROVA SKLADIŠTA NA ISTOČNOJ STRANI DEGRADIRANOG PODRUČJA ŽELJEZNIČKE STANICE U KRANJU S ORONULEM PROČELJIMA ŠTO ODRAŽAVA PROBLEME U POSLOVANJU TVRTE



Area 1	
Area size (m ²)	32,798
Total floor area (m ²)	36,044
Floor area ratio (FAR)	1.10
Building footprint (m ²)	11,626
Site coverage ratio (SCR)	0.35
Area 2	
Area size (m ²)	5,124
Total floor area (m ²)	3,706
Floor area ratio (FAR)	0.72
Building footprint (m ²)	975
Site coverage ratio (SCR)	0.19
Area 3	
Area size (m ²)	66,777
Total floor area (m ²)	12,455
Floor area ratio (FAR)	0.19
Building footprint (m ²)	4,696
Site coverage ratio (SCR)	0.07
Whole area	
Area size (m ²)	104,690
Total floor area (m ²)	52,205
Floor area ratio (FAR)	0.50
Building footprint (m ²)	17,297
Site coverage ratio (SCR)	0.17

of market and political cycles. In the second step, the development initiatives must meet regulations, which are essentially negative, limiting measurements. The planning structure should not be overly rigid.²³

Introducing dynamic variables in urban regeneration tools – Within this process or working method, which functions well in complex urban conditions, a strategic steering instrument focusing on control of dynamic variables²⁴ is developed. The dynamic variables considered²⁵ are part of three basic categories of urban design criteria: measurable, unmeasurable, and general criteria.²⁶ Measurable or quantitative criteria may relate to natural factors or physical form. There are two types of three-dimensional measurement of the incidence of urban form: conventional and innovative.²⁷ The most frequently used conventional measurements are FAR and site coverage ratio [SCR²⁸]. FAR and SCR are poor predictors of physical form, but they can be useful when the city enters into negotiations with private owners.

Negotiations in urban regeneration – The priority of the urban regeneration relies not only on mixed use, mixed scales, and various densities (within a clear structure of public spaces), but also on the performance of urban contemporary processes based on complex phases of negotiation between all actors in the various stages.²⁹ Within the process, actors constantly reevaluate their interests and in the subsequent phase increments they seek and find new ways of cooperation.³⁰ It is im-

portant that the negotiations in the process of urban regeneration are not forced; however, if they do not take place, private owners lose their profit bonus and remain committed to rigid basic standards. Not all actors are equally committed to partnerships, and they do not always know their role. One of the main questions for starting negotiations is how to convince the public sector to take a leading role in negotiations during the urban regeneration process and how to convince the private sector that it pays to enter into such negotiations. The actors are not only national, regional, or local governments, but also the private sector and civil society. They all play a significant role within urban regeneration because they at least share a vision and urban regeneration goals.

²³ Strict regulations discourage private investment.

²⁴ LEHNERER, 2009: 264

²⁵ Relations between plot form and size, building typology, the public space network, traffic capacity, and other factors.

²⁶ SHIRVANI, 1985: 29

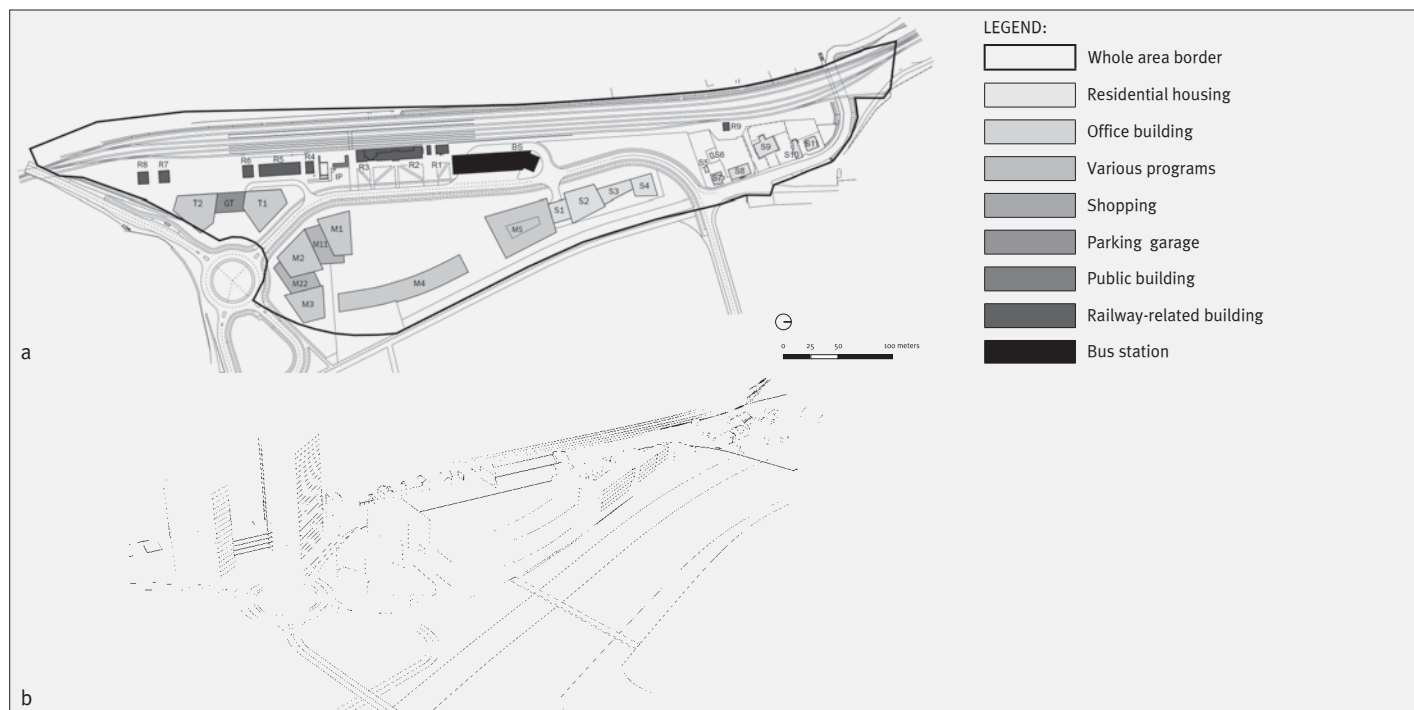
²⁷ DIMITROVSKA ANDREWS, 2011: 36

²⁸ Also termed *lot coverage*, *building coverage ratio*, or *site occupancy index*. [KRESSE, DONKO, 2012: 703]

²⁹ BAARVELD, SMIT, DEWULF, 2015

³⁰ The transformation of a port in Copenhagen is an example of the complexity of a negotiation process involving various actors that at different stages of the process reassess and determine their interests, and in the subsequent phases take steps and find new ways to interact. Important parts are the learning process in the participants' negotiations, their mutual cooperation, and adap-

FIG. 3 ORTOFOTO VIEW OF THE DEGRADED KRANJ RAILWAY STATION AREA AND DIVISION INTO THREE PARTS
SL. 3. ORTOFOTO SNIMAK DEGRADIRANOG PODRUČJA ŽELJEZNIČKE STANICE U KRANJU I PODJELA U TRI DIJELA



Research goal – Slovenian spatial legislation will change on June 1st, 2018.³¹ Article 9 of the new act presents the principle of spatial harmonization of public and private interests. The coordination of interests is to take place through responsible cooperation between those involved in spatial planning, through the development and protection of public interests, and between the state and local authorities. In spatial planning, the competent public and local authorities must, in addition to the public interest, take account of legitimate private interests and seek a consensual solution; in the event of conflict, the public interest is to take precedence over the private interest. The new act does not mention negotiations as a useful tool in the process of seeking harmonization.

ting approaches to achieve better solutions. [AZMAN MOMIRSKI, 2013: 22]

³¹ See <https://www.uradni-list.si/glasilo-uradni-list-rs/vsebina/2017-01-2915/zakon-o-urejanju-prostora-zurep-2> [2.5.2018.].

³² See the Franciscan cadastre 1826 and the Franciscan cadastre 1867 [The Archives of the Republic of Slovenia, <http://arsq.gov.si/Query/detail.aspx?ID=23253/10.12.2015./>].

³³ The station was built in 1870 following a typical plan used by the Crown Prince Rudolf Rail Company and was subsequently extended several times (symmetrically enlarged in 1883 and asymmetrically elevated by one floor in 1906). It holds the status of a cultural monument of local importance [Cultural Heritage Register, Slovenian Ministry of Culture /12.8.2017./].

³⁴ ČELIK, 2008

The new Slovenian legislation is also changing the implementing spatial acts, which are the national spatial plan, the regulation on the most appropriate variation, the regulation on the protected area of spatial arrangements of national importance, the municipal spatial plans, the municipal detailed spatial plans, and the decree on regulating the character of settlements and landscapes.

The premise in this article is that steps in the urban planning process such as negotiations between public and private actors in the case of urban regeneration can help advocate the public interest on private land, such as arranging interior and outdoor urban public spaces. Additional research questions are how much public space of this type the city will acquire in such negotiations and which phase of spatial planning will be most appropriate for the negotiations to take place in.

DATA AND METHODOLOGICAL APPROACH – CASE STUDY

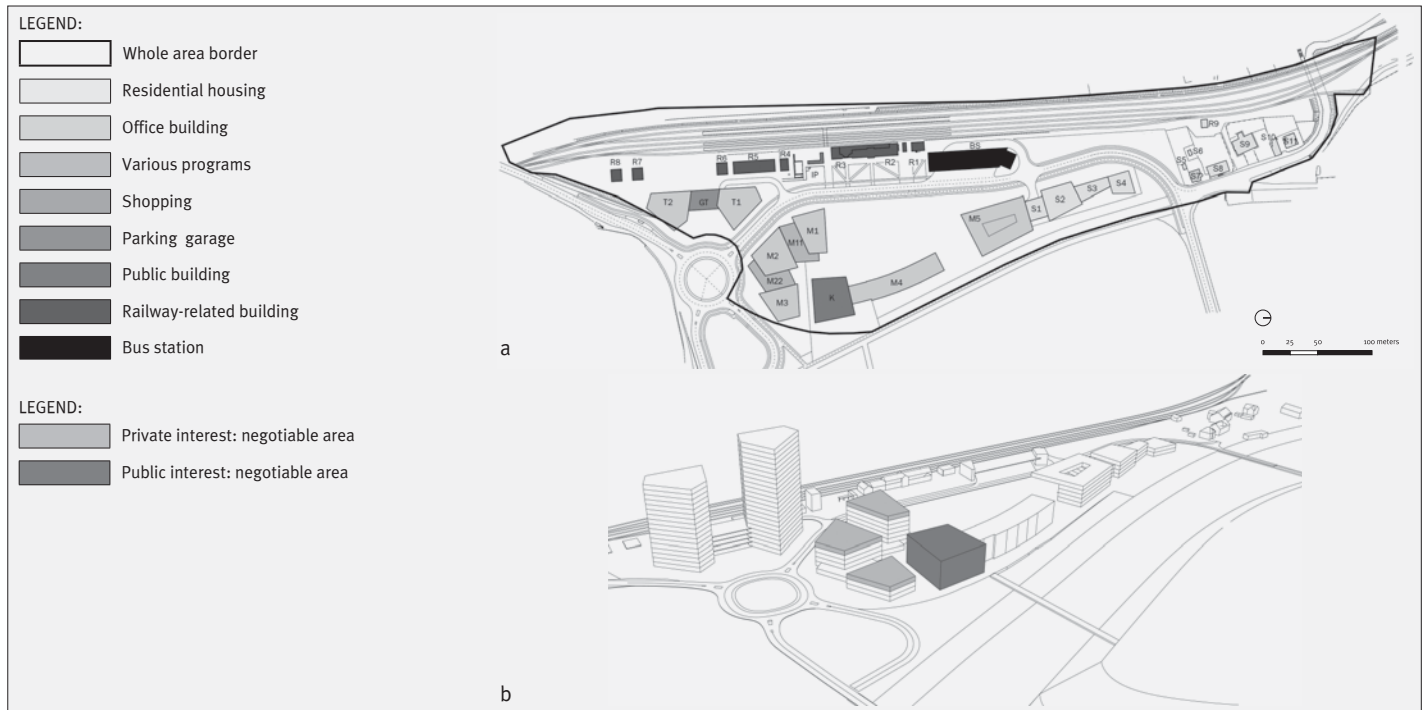
PODACI I METODOLOŠKI PRISTUP – STUDIJA SLUČAJA

When the Upper Carniola railway line was built in 1870³², a railway station and railway warehouses³³ were built at the study site in Kranj. The railway station area in Kranj (Fig. 1) is used for transport, freight forwarding, storage of raw materials, products, and trade. In 1958, at the initiative of the Merkur company, the Consortium for the Construction of Central Warehouses in Kranj was established.³⁴

Area 1			
Area size (m ²)			32,789
Office/ various prog. bldg.	Footprint (m ²)	Floors	Total floor area (m ²)
Tower M1	954	6	5,724
Building M11	631	1	631
Tower M2	1,084	4	4,336
Building M22	587	1	587
Tower M3	880	2	1,760
Building M5	1,899	5	5,827
Existing building			
Building M4	2,258	5	11,290
Residential			
Building S1	328	3	984
Building S2	843	4	3,372
Building S3	398	3	1,194
Building S4	398	2	796
Building footprint (m ²)	10,260		36,501
Floor area ratio (FAR)			1.11
Site coverage ratio (SCR)			0.31

FIG. 4 PLAN AND SPATIAL VIEW OF THE DEVELOPMENT VISION OF THE DEGRADED KRANJ RAILWAY STATION AREA – FAR AND SCR FOR AREA 1

SL. 4. VIZIJA PLANA RAZVOJA I PROSTORNI PRIKAZ DEGRADIRANOG PODRUČJA ŽELJEZNIČKE STANICE U KRANJU – K_{15} I K_{16} ZA PODRUČJE 1



Area 1			
Area size (m ²)	32,789		
Office/ various prog. bldg.	Footprint (m²)	Floors	Total floor area (m²)
Tower M1	954	7	6,678
Building M11	631	1	631
Tower M2	1,084	5	5,420
Building M22	587	1	587
Tower M3	880	3	2,640
Building M5	1,899	5	5,827
Existing building			
Building M4	2,258	5	11,290
Residential			
Building S1	328	3	984
Building S2	843	4	3,372
Building S3	398	3	1,194
Building S4	398	2	796
Public buildings/ areas			
Concert hall K	1,381	2	2,762
<hr/>			
Building footprint (m ²)	11,040		39,176
Floor area ratio (FAR)			1.19
Site coverage ratio (SCR)			0.34

FIG. 5 PLAN AND SPATIAL VIEW OF THE DEGRADED KRANJ RAILWAY STATION AREA AFTER THE FIRST NEGOTIATION PHASE – FAR AND SCR FOR AREA 1
 SL. 5. PLAN I PROSTORNI PRIKAZ DEGRADIRANOG PODRUČJA ŽELJEZNIČKE STANICE U KRANJU NAKON PRVE FAZE PREGOVORA – K₁₅ I K₁₆ ZA PODRUČJE 1

In 1959 the consortium began building large warehouses (Fig. 2) at the railway station.³⁵

Some areas, for example along Sava Street (*Savska cesta*), are residential areas.³⁶ Currently, the location of the station is dislocated from the city center and is identified in the strategy documents as inadequate.³⁷ The area is classified as a degraded urban area³⁸ (Fig. 3a). The ownership structure of the area consists of private land, land owned by companies, and land owned by the Municipality of Kranj. The owners have an interest in renting out business premises and developing catering activities. The municipality has expressed its opinion that Kranj needs a new concert hall and open market.³⁹ The size of the area is 104,960 m² and it is located between the main railway station to the west, the Sava River to the east, Upper Sava Street (*Gorenjesavska cesta*) to the north, and Railroad Street (*Kolodvorska cesta*) to the south. For this study, the chosen location was divided into three subareas (Fig. 3b):

- Area 1: Located in the eastern part of the area, the first subarea measures 32,789 m². Large warehouses of private companies are located here.
- Area 2: This subarea is in the northern part of the area and covers 5,124 m²; individual houses were built on it.
- Area 3: This is the largest subarea (66,777 m²) and is located in the western part of the area. It includes railway station buildings and warehouses.

The new Kranj Municipal Spatial Plan has not yet been adopted, but several spatial documents and professional guidelines⁴⁰ have dealt with the area under consideration, also elaborating the spatial development vision for the area.⁴¹ The vision starts with relocating the national regional road parallel to the railway, which will allow the creation of a modern infrastructure node, combining a train and bus station, and establishing a P&R system. Regional government and administration are located directly at the node and are easily accessible from both the city center (via the planned new pedestrian bridge over the Sava River) and from other local, regional, and national centers (Fig. 4a).

With the relocation of the national regional road from the bank of the Sava River, its waterfront can be transformed into a public pedestrian zone, integrating walking and cycling trails. The northern part of the area is intended for a housing program, and the central and southern part for a mixed program of

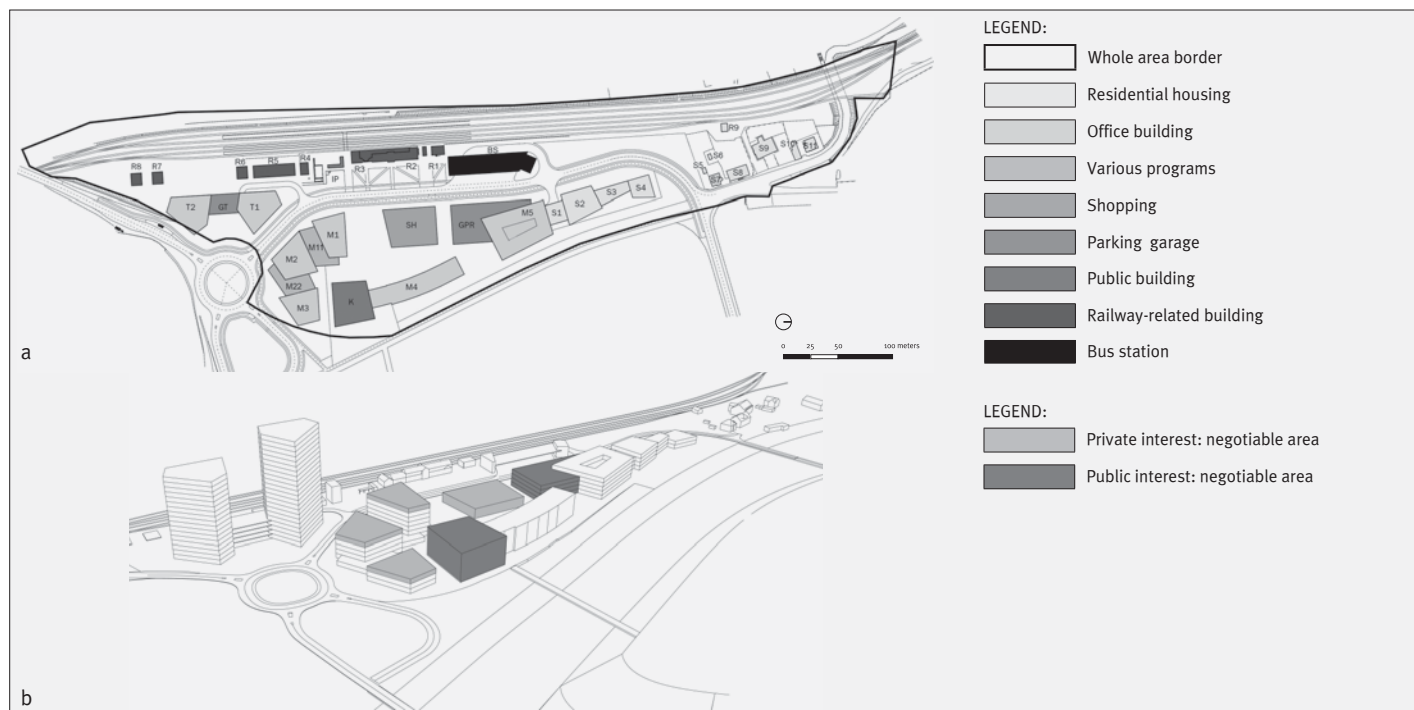
³⁵ Further expansion of Merkur in the area halted the construction of a new bypass road. The areas along the Sava River are mostly occupied by large production halls. The density of the entire area is relatively low because a large part of the area is occupied by open factory yards.

³⁶ In some places, residential areas originate from the period before the entire area developed as an industrial and production part of the city, and elsewhere they were planned as housing for laborers.

³⁷ ZUPAN, 2015: 19

³⁸ COTIĆ, 2017

³⁹ The location of the open market is problematic in Kranj and there have already been attempts to relocate it



offices and boutique production units. The setting of Area 2 is not changed because the owners are not interested in any change, and the municipality does not wish to interfere in this area. In contrast, Area 3 is thoroughly redesigned. The vision foresees an increase in building density, the establishment of new programs, and the design of a city infrastructure hub, but it does not guarantee, enable, provide, or permit the use of buildings' ground floors and potentially quality ambiances for public use. It takes into account owners' individual interests and the requirements of spatial documents or the partial interest of the municipality, but it does not cover their common interest. Because there is no reconciliation of their interests at this stage of development, the proposal is not optimal for the owners or the municipality. The proposal (Fig. 4b) is merely a starting point for establishing communication between those involved in the planning of infrastructure corridor area of the Kranj railway station area.

to the old city center. Kranj also has a smaller open market in the Planina neighborhood.

⁴⁰ Odlok o prostorskih ureditvenih pogojih za morfolosko celoto urbanistične zasnove mesta Kranja. Uradni list Republike Slovenije št. 72/04, str.8783-8808. Odlok o strateškem prostorskem načrtu Mestne občine Kranj, Mestna občina Kranj, 2014. Urbanistični načrt mesta Kranj, občinski prostorski načrt Mestne občine Kranj. Regijska razvojna družba, 2009.

⁴¹ Cobraman: AŽMAN MOMIRSKI *et al.*, 2012

⁴² HOLWAY *et al.*, 2012

⁴³ KWARTLER, LONGO, 2008

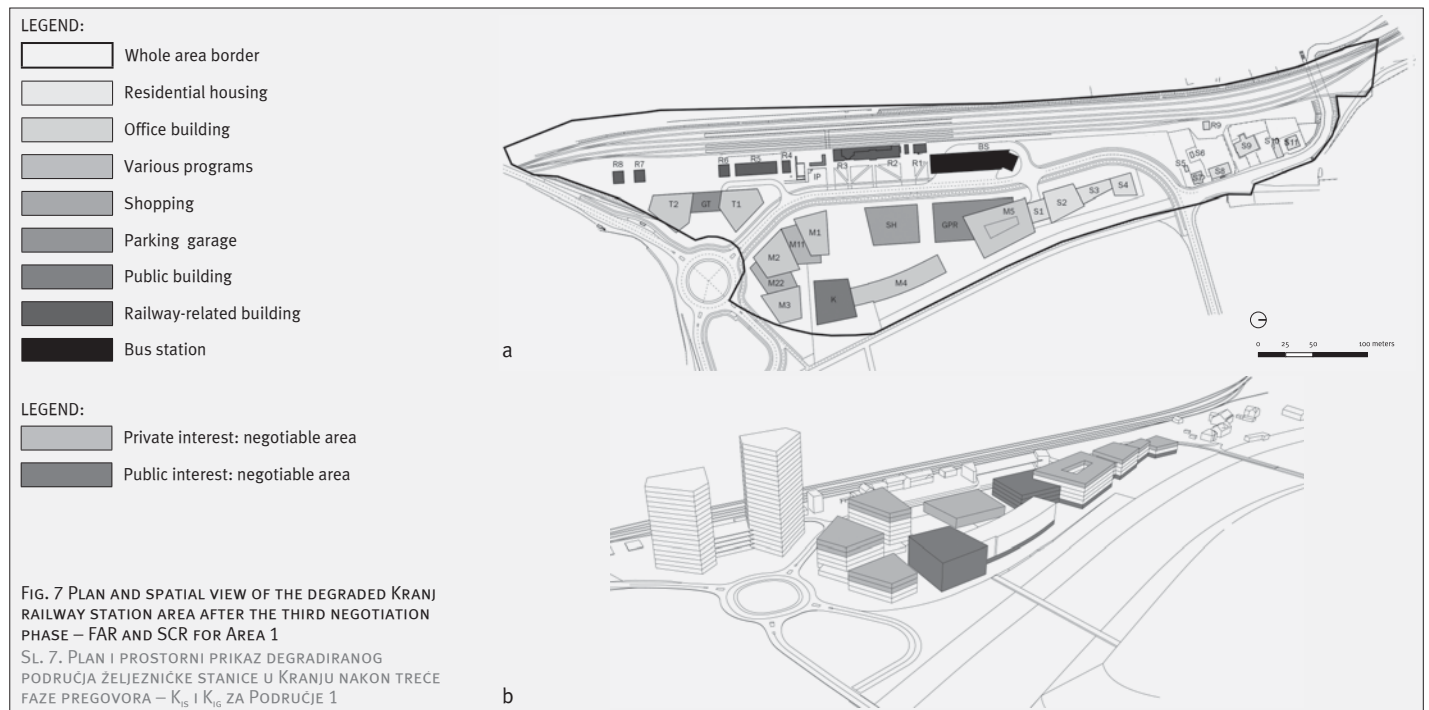
Scenario planning – The aim of scenario planning is to provide decisionmakers, experts, and public and private investors with better information about alternative spatial futures.⁴² Scenario planning is an effective way of specifying and evaluating these futures.⁴³ Four scenarios are foreseen in the professional guidelines to allow a process that is long enough to truly make negotiations possible.

– First negotiation phase – In the first negotiation phase, the municipality discusses the construction of a concert hall in the southern part of the area. In exchange for building the concert hall, the municipality is offering a private investor permission to build a number of floors in some buildings owned by private investors, which increases the built area of the private owner (Fig. 5).

– Second negotiation phase – The creation of a new public program offers further opportunities for spatial development, as well as the possibility of further increasing public and private space. Therefore one could expect the partners to meet again in the next phase of the negotiations. Private capital representatives have expressed their desire to build a shopping center whose program performance is mainly related to the flow of people through the infrastructure hub. The shopping center, however, has a public character, but provides the owner with large returns both for use and for renting business premises. The city, on the other hand, negotiates the construction of a garage, which com-

Area 1			
Area size (m ²)			32,789
Office/ various prog. bldg.	Footprint (m ²)	Floors	Total floor area (m ²)
Tower M1	954	7	6,678
Building M11	631	1	631
Tower M2	1,084	5	5,420
Building M22	587	1	587
Tower M3	880	3	2,640
Building M5	1,899	5	5,827
Existing building			
Building M4	2,258	5	11,290
Residential			
Building S1	328	3	984
Building S2	843	4	3,372
Building S3	398	3	1,194
Building S4	398	2	796
Garage for residents			
Garage	2,812	2	5,624
Public buildings/areas			
Shopping center SH	1,684	1	1,684
Concert hall K	1,381	2	2,762
Garage P+R	-	2	5,624
Building footprint (m ²)	14,619		52,108
Floor area ratio (FAR)			1.59
Site coverage ratio (SCR)			0.45

FIG. 6 PLAN AND SPATIAL VIEW OF THE DEGRADED KRANJ RAILWAY STATION AREA AFTER THE SECOND NEGOTIATION PHASE – FAR AND SCR FOR AREA 1
SL. 6. PLAN I PROSTORNI PRIKAZ DEGRADIRANOG PODRUČJA ŽELJEZNIČKE STANICE U KRANJU NAKON DRUGE FAZE PREGOVORA – K₁₅ I K₁₆ ZA PODRUČJE 1



Area 1			
Area size (m ²)	32,789		
Office/various prog. bldg.	Footprint (m ²)	Floors	Total floor area (m ²)
Tower M1	954	8	7,632
Building M11	631	1	631
Tower M2	1,084	6	6,504
Building M22	587	1	587
Tower M3	880	4	3,520
Building M5, fl. 2-6	-	5	6,744
Existing building			
Building M4, fl. 2-5	-	4	6,628
Residential			
Building S1, fl. 2-4	-	3	984
Building S2, fl. 2-5	-	4	3,372
Building S3, fl. 2-4	-	3	1,194
Building S4, fl. 2-3	-	2	796
Garage for residents			
Garage	2,812	2	5,624
Public buildings/areas			
Shopping center SH	1,684	1	1,684
Concert hall K	1,381	2	2,762
Garage P+R	-	2	5,624
Building S1, fl. 1	328	1	328
Building S2, fl. 1	843	1	843
Building S3, fl. 1	398	1	398
Building S4, fl. 1	398	1	398
Building M4, fl. 1	1,657	1	1,657
Building M5, fl. 1	982	1	982
Building footprint (m ²)	14,619		58,892
Floor area ratio (FAR)			1.80
Site coverage ratio (SCR)			0.45

plements the P&R system, and at the same time allows parking for apartment owners (Fig. 6).

– Third negotiation phase – The city still has not been able to enforce the public use of the ground floors of the buildings along the waterfront, and so the municipality is interested in continuing the negotiations. In exchange for fulfilling the wishes of the municipality to design public spaces occupied by people in bars, shops, galleries, and other spaces open to the river, the private developer has the right to increase the building's total floor area again (Fig. 7).

– Fourth negotiation phase – In the fourth phase, the negotiators conclude talks with the decision to raze another building that was not planned for demolition at the time of preparing the vision, and to build a replacement building at a somewhat larger site. An extension of the shopping center is also foreseen to consolidate the agreement of the deal between the public and private partners (Fig. 8).

Scenario verification – Two conventional urban indicators, the floor area ratio [FAR] and the site coverage ratio [SCR], will be used as steering instruments to examine and compare the success of the scenarios or the city's entrance into dynamic negotiations with private owners.

Under the Decree on the Spatial Order of Slovenia⁴⁴, urban indicators (bulk regulations) for construction are determined in two basic

ways (Article 91, Utilization of Land for Construction):

- Through density: the number of dwellings per hectare⁴⁵ (dwellings/hectare);
- Through factors and interests linked to the building site, and the criteria for constructed land, among which are FAR and SCR.

In this document, FAR is defined as the principal bulk regulation controlling the size of buildings and is the ratio of total building floor area to the area of its plot. The total floor area of the building is the total area of all stories of the building that are above and below ground, only above ground, or only below ground. SCR is determined as the ratio of the constructed or developed area (the building's footprint) to the entire area of the plot.

FAR and SCR in Slovenia should not exceed the values defined below:

- Zones of public infrastructure buildings (FAR = 1.6; SCR = 0.6);
- Urban center zones (FAR = 3.5; SCR = 0.9);
- Mixed zones (FAR = 1.2; SCR = 0.6).

Zones where greater use of land for construction or greater density are justified are as follows:

⁴⁴ See <https://www.uradni-list.si/1/content?id=51961> [6.9.2017.].

⁴⁵ Density can also be expressed through the number of persons per hectare, or in England through the number of rooms per hectare. [DIMITROVSKA ANDREWS, 2011: 38]

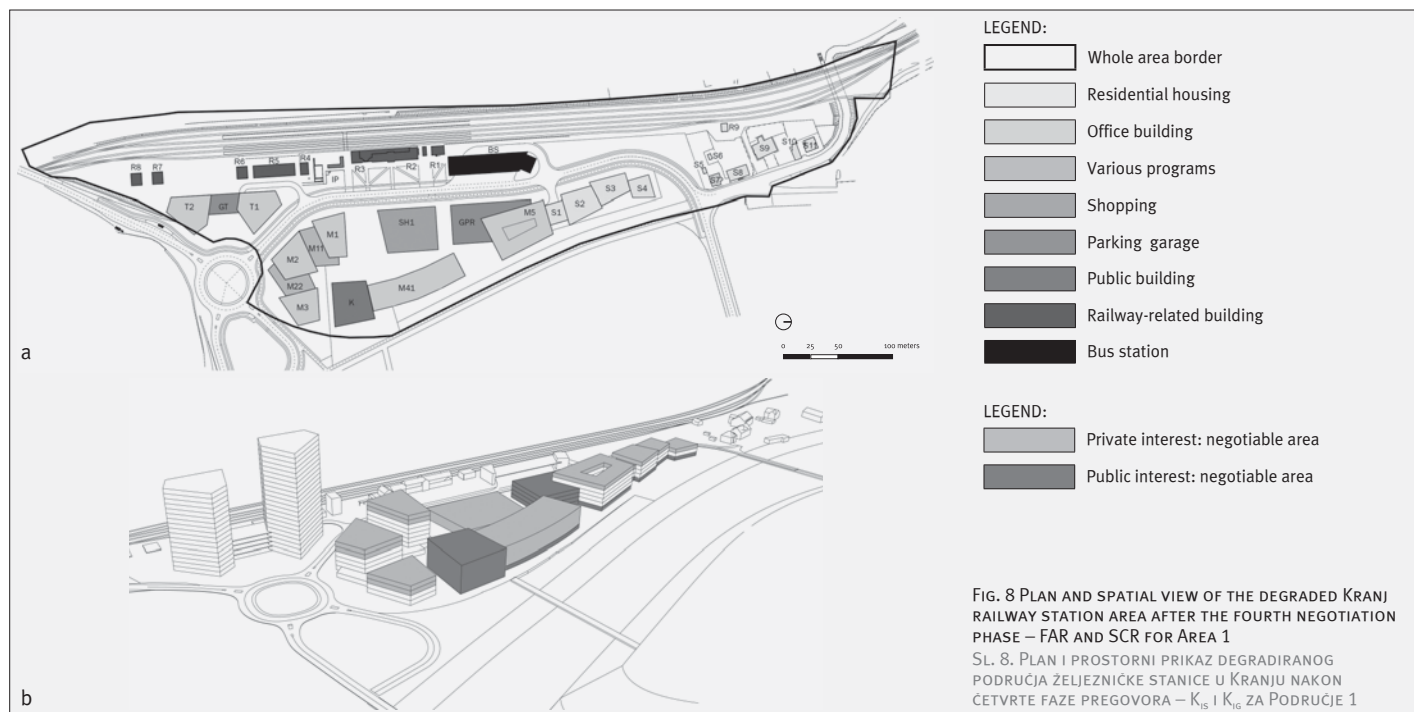


FIG. 8 PLAN AND SPATIAL VIEW OF THE DEGRADED KRANJ RAILWAY STATION AREA AFTER THE FOURTH NEGOTIATION PHASE – FAR AND SCR FOR AREA 1

SL. 8. PLAN I PROSTORNI PRIKAZ DEGRADIRANOG PODRUČJA ŽELJEZNIČKE STANICE U KRANJU NAKON ČETVORTE FAZE PREGOVORA – K₁₅ I K₁₆ ZA PODRUČJE 1

1. Urban centers with a large number of jobs and a good passenger transport network;
2. Degraded urban areas whose existing use of land for construction is low, but which are earmarked for complete rehabilitation through the construction of new structures.

In Slovenia, each zoning district has a FAR and SCR defined by the municipal spatial plans or municipal detailed spatial plans, which follow urban indicators defined by the national documents.

CONCLUSIONS

ZAKLJUČCI

FAR of the vision proposal for Area 3 is increased 3.5 times, from 0.19 to 0.73, although the SCR is only a little higher (increasing from 0.7 to 0.9). In Area 1 many existing buildings are planned for demolition and replacement with a new building structure, which is mirrored in the lower SCR compared to the present state. For the entire area SCR remains the same, but FAR of the vision proposal is much higher (0.85) than FAR of the present state (0.50). The greatest difference in FAR and SCR figures during negotiations can be observed in the second-step negotiation for Area 1. The FAR indicator changed from 1.19 to 1.59, and the SCR indicator from 0.34 to 0.45, when the shopping mall would have been built and garage building completed (Table II). At this stage, the indicators for the entire area also changed the most (Table

II). Comparing the indicators at the conclusion of the negotiations with the FAR and SCR indicators for Slovenia, they did not exceed the values defined earlier and the dynamic variables monitored in the simulation remain far below the values allowed in Slovenia for such locations (FAR from 0.09 to 0.49, and SCR at 0.38). This means that, despite the negotiations and approximation to the wishes of private investors, there is still much space left to continue this kind of communication between the public and private actors, especially considering the ratio of the building’s footprint to the entire area of the plot. In the scenarios, the city representatives were able to advocate the public interest on private land and in the private buildings with new public programs and buildings – a concert hall, a public garage, and public ground floors in buildings next to the riverfront – which confirms the premise that negotiations are useful tools for supporting public interest (Table II). The city not only acquired much public space of this type in negotiations, but also acquired city spaces that can significantly contribute to improving the attractiveness of such degraded areas.

It would be most appropriate for the negotiations to take place at the beginning of the preparation of the new municipal spatial plan, when the municipality is collecting private initiatives for preparing the plan. The procedures for planning at the national and local levels differ in Slovenia. Article 109 is titled Responding to Private Needs in Spatial

Area 1			
Area size (m ²)			32,789
Office/ various prog. bldg.	Footprint (m²)	Floors	Total floor area (m²)
Tower M1	954	8	7,632
Building M11	631	1	631
Tower M2	1,084	6	6,504
Building M22	587	1	587
Tower M3	880	4	3,520
Building M5, fl. 2-6	-	5	6,744
Existing building			
Building M4, fl. 2-5	-	4	6,628
Residential			
Building S1, fl. 2-4	-	3	984
Building S2, fl. 2-5	-	4	3,372
Building S3, fl. 2-4	-	3	1,194
Building S4, fl. 2-3	-	2	796
Garage for residents			
Garage	2,812	2	5,624
Public buildings/ areas			
Shopping center SH1	2,108	1	2,108
Concert hall K	1,381	2	2,762
Garage P+R	-	2	5,624
Building S1, fl. 1	328	1	328
Building S2, fl. 1	843	1	843
Building S3, fl. 1	701	1	701
Building S4, fl. 1	398	1	398
Building M41, fl. 1	2,255	1	2,255
Building M5, fl. 1	982	1	982
Building footprint (m ²)	15,944		63,518
Floor area ratio (FAR)			1.94
Site coverage ratio (SCR)			0.49

TABLE I COMPARISON OF FAR AND SCR OF THE PRESENT STATE, THE DEVELOPMENT VISION, AND THE FOUR PHASES OF NEGOTIATIONS OF THE DEGRADED KRANJ RAILWAY STATION AREA

TABL. I. USPOREDBA K_{IS} I K_{IG} INDIKATORA U ODNOSU NA SADAŠNJE STANJE, VIZIJU RAZVOJA I ČETIRI FAZE PREGOVORA O DEGRADIRANOM PODRUČJU ŽELJEZNIČKE STANICE U KRANJU

		Present state	Vision	First-step negotiation	Second-step negotiation	Third-step negotiation	Fourth-step negotiation
Area 1	FAR	1.10	1.11	1.19	1.59	1.80	1.94
	SCR	0.35	0.31	0.34	0.45	0.45	0.49
Area 2	FAR	0.72	0.72	0.72	0.72	0.72	0.72
	SCR	0.19	0.19	0.19	0.19	0.19	0.19
Area 3	FAR	0.19	0.73	0.73	0.73	0.73	0.73
	SCR	0.07	0.09	0.09	0.09	0.09	0.09
Location	FAR	0.50	0.85	0.88	1.00	1.07	1.11
	SCR	0.17	0.17	0.17	0.20	0.19	0.22

TABLE II COMPARISON OF TRAFFIC INFRASTRUCTURE, PROGRAM, AND BUILDINGS IN THE DEVELOPMENT VISION AND FOUR NEGOTIATION PHASES OF THE DEGRADED KRANJ RAILWAY STATION AREA

TABL. II. USPOREDBA PROMETNE INFRASTRUKTURE, PROGRAMA I ZGRADA U VIZIJU RAZVOJA I ČETIRI FAZE PREGOVORA O DEGRADIRANOM PODRUČJU ŽELJEZNIČKE STANICE U KRANJU

	Transport infrastructure	Programs	Buildings
Vision	<ul style="list-style-type: none"> – Roundabout constructed in the southern part of the area; – Regional road (parallel to the Sava River) relocated into the area of the infrastructure corridor (parallel to the railway line); – Pedestrian connection created (via a new footbridge between the old city center and the railway station area); – Waterfront with a promenade along the Sava River (allowing cycling and walking trails) 	<ul style="list-style-type: none"> – Railway station with the public and interior part of the station and a new information point maintained; – Relocation of the bus station; – Garage construction for the P&R system; – Regional administration programs sited 	<ul style="list-style-type: none"> – Restoration of the railway station building and the rail assembly in the northern part (protected cultural heritage); – Partial preservation of building M4 on the equity plot; – Maintaining the buildings in Area 2; – Other existing buildings are demolished and replaced with a new building structure
First-step negotiation		<ul style="list-style-type: none"> – Concert hall 	<ul style="list-style-type: none"> – A smaller part of building M4 is kept; – Concert hall building
Second-step negotiation		<ul style="list-style-type: none"> – Garage; – Shopping mall 	<ul style="list-style-type: none"> – Garage partly built in a newly constructed building; – Shopping mall building
Third-step negotiation		<ul style="list-style-type: none"> – Public ground floors in buildings M1, M4, S1, S2, S3, and S4 	
Fourth-step negotiation			<ul style="list-style-type: none"> – Demolition of building M41 and construction of a new building with an extended plan width; – Extending the width of the shopping mall building

Talks about private initiatives and the consideration of the suitability of the initiative in the municipalities in terms of its compliance with the basic rules of spatial planning, the objectives of spatial development of the municipality, and the legal regimes in the area. The municipality is also obliged to review the initiatives from the point of view of the possibility of installing utilities on the land and other economic public infrastructure. As part of preparing the draft municipal spatial plan, various interests in the area are encountered and coordinated, and variant solutions could be prepared and evaluated.

If necessary for individual spatial arrangements, public consultations, workshops, or other means of cooperating with the public are carried out. To coordinate interests, consultation with spatial planning experts can be

convened. The new legislation has the prescribed elements of interaction with private initiatives, which are not defined as negotiations, but can lead in their direction. The negotiations mostly do not take place in the spatial planning process because the negotiation process is not properly understood and there is no confidence of the actors that negotiations really work and that the final result of negotiations is a win-win situation for all of the actors in the process. The new legislation also offers enough support to achieve design quality in relation to economic viability in municipal development projects, especially those associated with urban regeneration initiatives.⁴⁶

[Written in English by author; proof-read by DONALD F. REINDL, Ph.D.]

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- | | |
|--|--|
| FIG. 1, 2 | Photo by G. Kociper, 2011 |
| FIGS. 3a, 3b,
4a, 5a, 6a,
7a, 8a | Surveying and Mapping Authority of the Republic of Slovenia. Author of the content: L. Azman Momirski, elaborated by G. Kociper, T. Berčič |
| FIG. 4b, 5b,
6b, 7b, 8b | Author of the content: L. Azman Momirski, elaborated by G. Kociper, P. Sovinč, A. Panker |
| TABLE I | Author |
| TABLE II | Author |

SAŽETAK

SUMMARY

PREGOVARANJE DINAMIČKIH VARIJABLI U PROCESU URBANE REGENERACIJE DEGRADIRANO PODRUČJE ŽELJEZNIČKE STANICE U KRANJU – STUDIJA SLUČAJA

Revizijom uređenja *coninga* 1961. godine u New Yorku bio je uveden kvantitativni urbanistički kriterij koeficijenta iskorisćenosti $[K_{is}]$. Koeficijent je omogućavao da se zblize stajališta o prostornim vizijama privatnih investitora i javne administracije. Nova pravila pružila su mogućnost oblikovanja javnih prostora na privatnim parcelama, posebno na trgovima. Grad New York održavao je moc *coniranja* potvrdno i ohrabrujuće, a ne negativno i restriktivno, a mjera je bila uspješna iako je estetski ideal bio ekonomski određen. Pregovori temeljeni na kvantitativnim urbanističkim kriterijima mogu se koristiti i za rješavanje problema urbane regeneracije, procesa koji se uglavnom razvio u Europi nakon Drugoga svjetskog rata i koji je uzrokovan razvojem industrije. Bivše tvornice, propadajuća industrijska područja i mjesta s degradiranim infrastrukturnim cvorovima u suvremenosti postaju mjesta koja su dostupna za ulaganja i daljnji gradski razvoj.

Urbana regeneracija multidisciplinarno je područje s mnogo definicija i rješenja koja se slažu s ciljevima održivog razvoja. Prioritet urbane regeneracije također se oslanja na izvedbu urbanističkih suvremenih procesa temeljenih na složenim etapama pregovora između svih dionika u različitim etapama. Najčešće korišteni kvantitativni urbanistički kriteriji u procesu planiranja urbane regeneracije jesu koeficijent iskorisćenosti $[K_{is}]$ i koeficijent izgrađenosti $[K_{ig}]$. K_{is} i K_{ig} jesu siromašni prediktori kvalitete urbane forme, ali mogu biti vrlo korisni kao instrumenti za upravljanje koji dopuštaju gradu da uđe u dinamične pregovore s privatnim vlasnicima.

Slovensko prostorno zakonodavstvo, koje se promijenilo 1. lipnja 2018. godine, osnovano je i na načelu usklađivanja javnih i privatnih interesa u prostoru. Međutim, novi zakon ne spominje pregovore kao koristan alat u procesu traženja usklađivanja. Pretpostavka u ovome istraživanju jest da pregovori između javnih i privatnih dionika u slučaju urbane regeneracije mogu pomoći zagovarajući javnoga interesa na privatnom zemljištu, kako [Autorica]

interijera tako i otvorenih javnih prostora u gradovima. Dodatno je pitanje vezano za istraživanje, koja će etapa prostornog planiranja biti najprikladnija za pregovore.

Lokacija koja je bila odabrana za studiju slučaja jest urbano područje željeznickoga kolodvora u Kranju, izgrađenog zajedno sa skladištima 1870. godine. Godine 1959. uz postaju su izgrađena nova velika skladišta konzorcija za izgradnju centralnih skladišta u Kranju. Trenutačno je sama postaja dislocirana iz središta grada Kranja pa je u strategijskim dokumentima identificirana kao neadekvatno područje, odnosno klasificirano je kao degradirano urbano područje. Vlasnička struktura tog područja sastoji se od privatnog zemljišta, zemljišta u vlasništvu poduzeća i zemljišta u vlasništvu Općine Kranj. Novi prostorni plan Kranja još nije usvojen, ali u smjernicama je razrađena vizija prostornog razvoja tog područja. Vizija novoga uređenja odabrane lokacije u Kranju jest uređenje središnjega čvora gradske infrastrukture, povećana gustoća izgradnje i uspostava novih gradskih aktivnosti. Istovremeno, pitanje je kako osigurati javnu primjenu prizemlja i potencijalno visokokvalitetnih ambijenata. Četiri scenarija predviđena su u smjernicama za određivanje prostorne budućnosti lokacije, a cilj planiranja scenarija jest pružiti donositeljima odluka, stručnjacima, javnim i privatnim investitorima bolje informacije o alternativnim prostornim rješenjima. Druga razvojna etapa nagraduje viziju. Ako vlasnik privatnog zemljišta dopusti izgradnju nove koncertne dvorane, grad dopušta izgradnju vlasnikovih privatnih zgrada za jedan kat više nego što je predviđeno u prostornom nacrtu. Uspostava novoga javnog programa otvara daljnje mogućnosti razvoja ili povećanja javnih i privatnih površina. Osiguravajući izgradnju parkiralista u trećoj etapi, nadograđuje se *Park&Ride* sustav, kao sofisticiranija i jeftinija izgradnja parkirališnih mjesta za vlasnički smještaj. Trgovacki je centar javan i omogućava vlasniku velike prilike prilikom korištenja ili iznajmljivanja poslovnih prostora. Jav-

na uporaba prizemlja u zgradama uz obalu rijeke omogućava vlasniku da se broj katova i na tome prostoru i u tim zgradama povećava. Četvrta etapa razvoja predstavlja završetak pregovora, u kojima vlasnik dobiva jednu trećinu više građevinskih površina. Svaku od etapa prati precizno izračunavanje urbanih varijabli, koeficijenta iskorisćenosti $[K_{is}]$ i koeficijenta izgrađenosti $[K_{ig}]$. Uspoređujući pokazatelje na kraju pregovora s K_{is} i K_{ig} pokazateljima za Sloveniju, oni nisu prelazili prethodno definirane vrijednosti, a dinamičke varijable procenjene scenarijima i dalje su daleko ispod vrijednosti koje su dopuštene u Sloveniji za takve lokacije (K_{is} od 0,09 do 0,49 i K_{ig} na 0,38). U scenarijima su gradski zastupnici mogli zagovarati javni interes na privatnom zemljištu i privatnim zgradama s novim javnim programima i zgradama – koncertnom dvoranom, javnom garažom i javnim prizemnim etažama u zgradama uz obalu rijeke – što potvrđuje pretpostavku da su pregovori korisni alati za podupiranje javnoga interesa. Grad nije samo dobio mnogo javnog prostora ove vrste u pregovorima već i gradske prostore koji mogu značajno pridonijeti poboljšanju atraktivnosti degradiranih područja. Bilo bi najpovoljnije da se pregovori održe na početku pripreme novoga prostornog plana općine, kada općina prikuplja privatne inicijative za izradu plana. Ako je potrebno, za pojedinačno prostorno uređenje provode se javne konzultacije, radionice ili druga sredstva za suradnju s javnošću. Za koordinaciju interesa mogu se sazvati konzultacije sa stručnjacima za prostorno planiranje. Novi zakon ima propisane elemente interakcije s privatnim inicijativama, koji nisu definirani kao pregovori, već mogu voditi u njihovu smjeru. U praksi pregovori se uglavnom ne odvijaju u procesu prostornog planiranja, i to zbog nekoliko razloga: proces pregovora nije dobro shvaćen, nema povjerenja među akterima ni u to da pregovori uistinu funkcioniraju, kao što nema povjerenja da je konačni rezultat pregovora najbolje rješenje za sve dionike u tom procesu.

BIOGRAPHY

BIOGRAFIJA

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