

Public Policies and Private Interests: HOW KOLAŠIN TURNED INTO A CONSTRUCTION SITE FOR THE PRIVILEGED



GREETINGS FROM KOLAŠIN



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| | |
|-----------|---|
| 6 | INTRODUCTION |
| 7 | How public policies transform shared urban space into a source of private profit: The case of Kolašin |
| 8 | Spatial and urban planning in service of the long-prepared construction expansion |
| 10 | Economic Citizenship Program: How State Economic Policy Determines Local Spatial Condition |
| 15 | The state of public infrastructure as a reflection of local urban development policies |
| 17 | The existing policies of spatial development do not address contemporary social, economic, and environmental challenges |
| 19 | Privatization of Public Spaces and Buildings |
| 20 | Privatization of Unprotected Cultural Heritage: The Marić House |
| 23 | Privatization of Public Green Spaces: the Cases of the Public Park and Lug |
| 25 | Privatization of public pedestrian infrastructure: the staircase between Fourth Proletarian Brigade Street and the Fallen Partisan Women Street |
| 29 | Under Construction Projects: A Glimpse into the Outcomes of Urban Development Public Policies that Don't Prioritize the Public Interest |
| 30 | Tourist facility - hotel, category 4* |
| 33 | Tourist complex Breza, condo business model, category 5* |
| 37 | Residential building with activities and a condo hotel, category 4* |
| 40 | Tourist building - hotel Magnum, category 4* |
| 43 | Apartment-commercial building |
| 46 | Sports and tourist annexes |
| 50 | Control Mechanisms in Spatial Planning and Construction: Their Purpose and Why They Fail |
| 52 | Conclusion |
| 53 | References |

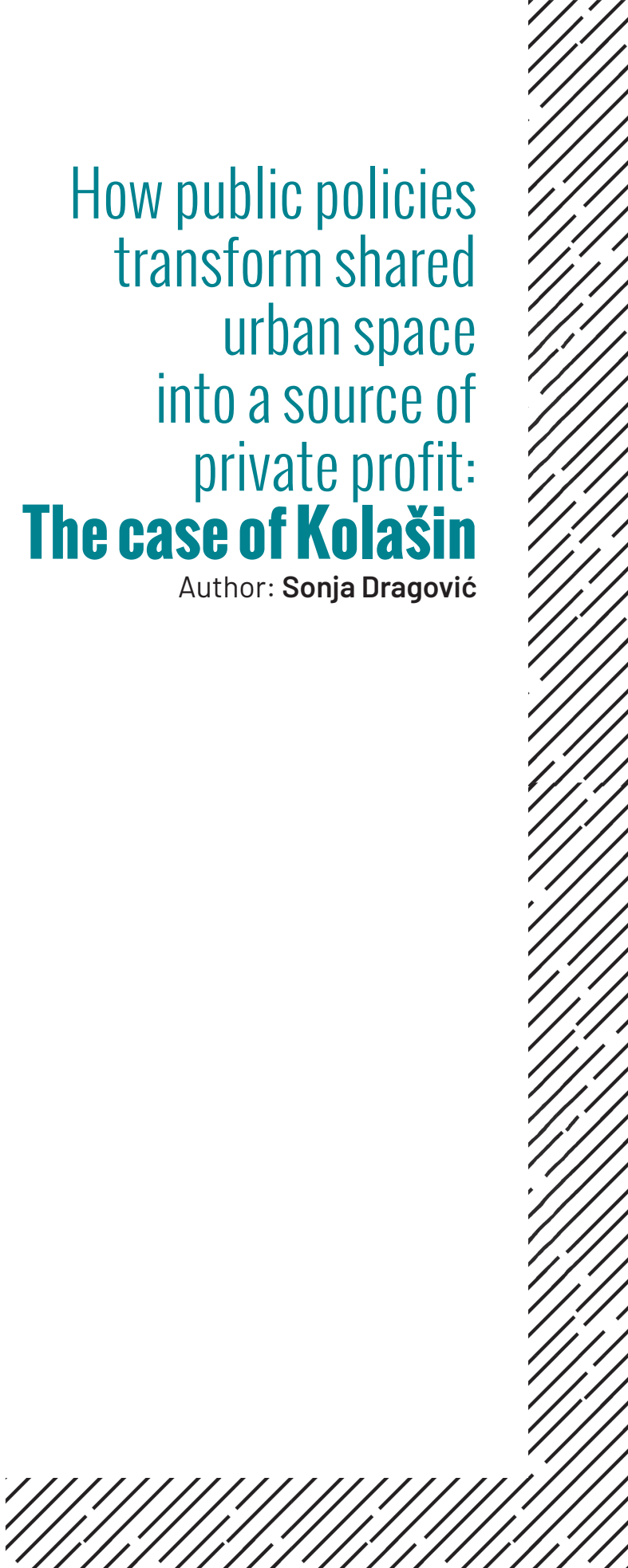


INTRODUCTION

This publication is the result of several months of research conducted with the aim of better understanding the contemporary process of planning and construction of our cities and the public policies that shape this process. The focus is on Kolašin, as a case study of a small mountain town that, seemingly suddenly, became the largest construction site in the north of Montenegro. How and when exactly this happened, by whose decisions, and for whose benefit are some of the questions we aim to answer by analyzing relevant public policies, planning documents, selected architectural projects, and control mechanisms. The results underscore the inevitable conditionality of spatial and urban development by state and local economic programs, as well as the necessity of creating economic and spatial policies that recognize contemporary social, economic, and ecological challenges and reflect the public interest.

How public policies
transform shared
urban space
into a source of
private profit:
The case of Kolašin

Author: **Sonja Dragović**



Spatial and urban planning in service of the long-prepared construction expansion

Kolašin, seemingly overnight, has turned into a large construction site. After decades of aggressively promoted and poorly controlled real estate construction on the Montenegrin coast, which consumed the coastal space and its chances for sustainable future development, the same wave has reached Kolašin. However, this is not coincidental: preparations for a construction boom in Kolašin up to (and beyond) the maximum limits of spatial and infrastructure capacities have been underway for a long time. While most of Kolašin's citizens are surprised by the new contours and heights in their urban surroundings, planning documentation reveals that conditions have simply matured to realize ideas at least 15 years old. At the heart of these ideas, both then and now, is not development in line with the interests of the local economy and community but enabling the maximization of profits for owners of investment capital and land suitable for construction.

The buildings that have been erected in Kolašin over the past few years, and those whose construction is underway, are mostly planned and permitted by the Detailed Urban Plan (DUP) Kolašin-Cen-

tar from 2008, the DUP Smailagića Polje, also from 2008, and the DUP Breza, from 2011. The first decade of the 21st century was a period of intensive work on spatial planning in Kolašin. At the same time, the boundaries of urban plans have expanded: In 2005, a new General Urban Plan for Kolašin (GUP) was adopted, increasing its zone from 924 ha (boundaries from 1987) to 1250 ha. Shortly after, in 2008, amendments to this GUP were adopted, further expanding its boundaries from the existing 1250 ha to a massive 1786 ha, almost double the area of 1987. The basis for these changes was the "increased tourist interest in the Municipality of Kolašin, as well as the expansion of residential construction and tourist facilities and amenities."¹ This is the context in which the DUP Kolašin-Centar was created in 2008, projecting an increase in built-up areas in the city center by 7.5 times: from the existing 115,000 m² to the planned 857,490 m². The same year, the DUP Smailagića Polje was adopted, planning to increase built-up areas by 22 times within this plan, from the existing 31,542 m² to the planned 702,059 m². The DUP Breza was adopted in 2011, with a planned increase in new built-up areas by 28 times, from the existing 19,240 m² to the planned 544,362 m².² Thus, the intense new construction we have been witnessing in Kolašin since the early 2020s was incorporated into detailed urban plans over 15 years ago. Although each of these three detailed urban plans has since expired (plans for Centar and Smailagića Polje were supposed to be valid for five years, and the plan for Breza for ten years), they are still considered current planning documents based on which authorities issue urban-technical

1 *Spatial-urban plan of the Municipality of Kolašin from 2014*, p. 27

2 *Ibid*, p. 28

conditions for construction.³

The effect and impact of these, to put it mildly, ambitious construction plans for the central urban zone of Kolašin were analyzed within the Spatial-urban Plan (PUP) of the Municipality of Kolašin, which the municipal Assembly adopted in 2014. This plan was created through the Land Administration and Management Project (LAMP), carried out by the Ministry of Sustainable Development and Tourism and the Real Estate Administration in collaboration with the World Bank from 2009 to 2016. The goal was to draft planning documents in municipalities of the northern and central regions of Montenegro and to simplify the process of issuing building permits.⁴ The 2014 PUP states that the construction planned by the DUP Kolašin-Centar utilizes the capacities of this space to the maximum. It recommends that in the next planning period, the focus should primarily be on the reconstruction of architecturally valuable buildings, the construction of facilities of public interest (social activities, infrastructure, city market, city hospital, etc.), and the design of public spaces (promenade along the river, sports-recreational zone by Tara, main street refurbishment, city parks, etc.). As for Smailagića Polje and Breza, the 2014 PUP assesses the planned construction for these parts of the city as excessive relative to spatial capacities. It points out the lack of communal infrastructure and an imbalance in the purpose of the buildings, which was evident since most of the planned infrastructural and non-residential projects within the scope of

these plans have not been built. The 2014 PUP also critically addresses the (then) pronounced trend of adopting local site studies, through which the construction of large-scale buildings in attractive and often inaccessible locations was planned without proper infrastructure and with a loose interpretation of restrictions from higher-order plans.⁵

The analysis provided by the 2014 PUP, however, did not influence the changes to lower-level plans (DUPs and local site studies). Despite all the listed shortcomings, they have remained in force to this day. Hence, the construction expansion we have witnessed in Kolašin over the past few years is proceeding according to proven low-quality, outdated plans that outline excessive and unbalanced production of new private buildings to the detriment of public spaces and amenities and at the expense of future sustainable development.

³ Register of Planning Documents, Ministry of Ecology, Spatial Planning and Urbanism (<https://lamp.gov.me/PlanningDocument?m=KL>)

⁴ Ministry of Sustainable Development and Tourism: Through the LAMP Project, New Planning Documentation has been drafted for almost 60% of the Territory of Montenegro (<https://www.gov.me/clanak/158217--saopstenje-kroz-lamp-projekat-isplanirano-skoro-60-prostora-crne-gore>)

⁵ Spatial-urban plan of the Municipality of Kolašin from 2014, p. 29

Economic Citizenship Program: How State Economic Policy Determines Local Spatial Condition

We have seen such spatial planning and the persistence of relevant institutions in implementing poor plans at all costs many times before, presenting it even as a political and economic success; the closest examples being Budva and the Bay of Kotor. The case of Kolašin is perhaps unique in that the execution of these plans is happening a decade and a half after they were adopted. This delay is a direct consequence of the dire economic crisis of 2008, which slowed down the planned projects; these were given new momentum recently with the construction of part of the Bar-Boljare highway, which brought Kolašin closer to the south of Montenegro. Just before the economic crisis in the mid-2000s, the real estate market in Kolašin was booming - there was immense interest in buying land and opportunities to build on that land. It was this demand that the Kolašin municipality responded to at that time by adopting detailed urban plans for the town center, Smailagića Polje, and Breza, as well as a series of local site studies for important peripheral locations. The economic crisis disrupted the planned dynamics of

this process. Still, the plans remained in effect, allowing the old ideas of a multiple-fold increase in built-up areas in central and attractive locations in Kolašin to come to fruition now, regardless of it being unsustainable and potentially dangerous. Of course, plans are a necessary but not sufficient condition. Besides the planning documentation that promotes and supports such developments, it is necessary to provide infrastructure and ensure the profitability of investments for potential investors. Infrastructure conditions were somewhat fulfilled with the construction of a portion of the Bar-Boljare highway, which has ostensibly improved the town's connection with Podgorica and the south of Montenegro since mid-2022. However, the interest of investors in properties in Kolašin was largely shaped by the economic citizenship program launched by the Government of Montenegro at the end of 2018.⁶

In essence, the economic citizenship program represents an efficient way to generate foreign demand for expensive properties in the north of Montenegro, which mostly benefits investors who can build and market such properties. Specifically, this program offers foreign nationals the opportunity to acquire Montenegrin citizenship by investing in one of the "development projects" that the Government of Montenegro approves based on, among other things, the total amount of the investment and the number of new jobs expected to be created through that investment. Although, according to the Government's Decision, these development projects could also pertain to agriculture and the processing industry, the emphasis is on tourism, with expe-

⁶ Decision on the criteria, method, and procedure for selecting individuals who can acquire Montenegrin citizenship through admission for the implementation of a special investment program of particular importance for the economic and business interest of Montenegro, Official Gazette of the Republic of Montenegro, no. 79 of 7/12/2018, 12/20, 143/21, 68/22

cted investments of at least 15,000,000 euros in the coastal region or the Capital City of Podgorica and at least 5,000,000 euros in the northern or central region of Montenegro.⁷ The final List of Development Projects⁸ includes only one project in agriculture and 12 in tourism, with the vast majority related to the construction of hotels operating on the condo business model. In most cases, local investors or companies that have long been active in construction business and real estate sales in Montenegro proposed these projects for inclusion in the List of Development Projects. Once their project enters the List, these investors gain access to a very appealing market segment: foreign nationals who can acquire a Montenegrin passport by investing at least 450,000 euros for projects in Podgorica or the coastal region of Montenegro, or 250,000 euros for projects in the northern or central region of Montenegro. As we can see, Montenegrin citizenship is considerably cheaper when purchased in the north of the country, and this circumstance, in particular, has had a profound impact on the sudden construction boom in Kolašin.

Of the 12 hotels on the List of Development Projects for the economic citizenship program, seven are located in Kolašin, and each plans to operate on a condo model. The condo model implies these hotels consist of residential units intended for sale to private owners, who

can either utilize them personally or rent them out. In Montenegro, owners of units in condo hotels must make their properties available for rent for ten months a year, while they can use them for their purposes for the remaining two months.⁹ Therefore, it is possible to invest in these projects simply by purchasing an apartment in one of Kolašin's condo hotels and then either reselling it or handing it over to the management to collect rental income from that accommodation unit. Put simply, those who wish to acquire Montenegrin citizenship in this manner don't actually have to engage in the development of the investment project – it's enough to buy an apartment that is already under construction and, by doing so, support local investors in their business endeavors. On one side, we have foreign nationals who can meet part of the requirements for obtaining Montenegrin citizenship by purchasing an apartment in a Kolašin condo hotel for 250,000 euros; on the other side, we have domestic investors who are building hotels in Kolašin and who are more than happy to sell the hotel units at such high prices. In the middle, we have the Government of Montenegro, which promotes the economic citizenship program as a means of raising funds for the development of less developed municipalities in the north of Montenegro.¹⁰ However, in reality, the primary beneficiaries are, indeed, the investors for whom this program introduces a new

7 *Ibid*, Article 11

8 *Investment Agency of Montenegro, Economic Citizenship* (<https://mia.gov.me/me/ekonomsko-drzavljanstvo/>)

9 *Law on Tourism and Hospitality, Article 95, Official Gazette of the Republic of Montenegro, no. 2/2018, 4/2018. - corrected, 13/2018, 25/2019, 67/2019 - other law and 76/2020*

10 Article 10 of the "Decision on the criteria, method, and procedure for selecting individuals who can acquire Montenegrin citizenship through admission for the implementation of a special investment program of particular importance for the economic and business interest of Montenegro" states that one of the conditions that the applicant must fulfill is a payment of 100,000.00 euros for the development of less-developed local government units.

market and sets excellent sale prices for condo units currently under construction in Kolašin.¹¹

The investors acknowledge how this program benefits their position; statements from some of them reveal that they will not need any credit obligations to realize the project in Kolašin, that they can finance the investment with their own funds, and that they expect significant revenue from selling hotel units. In one instance, the total value of the investment is 8.7 million euros, and the investor anticipates earning 5.4 million euros just from the sale of accommodation units in the first three years.¹² The provisions of the economic citizenship program have clearly set the minimum prices of apartments in the new condo hotels in Kolašin, as demonstrated by their promotional materials: for example, in the “Kolašin 1450” hotel complex currently under construction at the Bjelasica Ski Resort, an apartment measuring 31.44 m² costs 250,000 euros (i.e., precisely the amount required for investment to fulfill one of the conditions for obtaining economic citizenship), which amounts to 7,951 euros per square meter.¹³ Table 1 displays the sale prices of apartments in condo hotels that are part of the economic citizenship program and are currently under construction in Kolašin. According to this data, prices range from 2,717 to 11,111 euros per square meter, clearly

showing the influence of the economic citizenship program on these prices and the artificially created demand for these properties over its three-year duration.

11 As of August 2022, since the beginning of the economic citizenship program, the amount of funds collected for less developed areas was 66.1 million euros, while investors received 190.5 million euros from the program. Source: Center for Investigative Journalism of Montenegro, “Mostly Russians obtained citizenship through investment: a passport for some, sanctions for others” (<https://www.cin-cg.me/najvise-rusa-dobilo-drzavljanstvo-ulaganjem-nekome-pasos-nekome-sankcije/>)

12 Portal eKapija: “Near the ski slope in Kolašin, a 4-star condo hotel will be built - An investment worth 8.7 million EUR, opening at the end of 2025” (<https://me.ekapija.com/news/3788843/ublizini-ski-staze-u-kolasinu-gradice-se-kondo-hotel-sa-4>)

13 Sales catalog of the project “Bjelasica 1450” (<https://bjelasica1450.me/pdf/CatalogueBjelasica1450.pdf>)

Condo hotels
under construction
in Kolašin,
included in the
List of Development
Projects in the
field of tourism

Table 1

Hotel Breza



| | |
|---|---|
| Date of entry on the List | Nov 7, 2019 |
| Investor | D00 CG resort, Tivat |
| The announced number of new jobs | 120 |
| The announced number of accommodation units | 148 |
| Sale price of the hotel apartments (per square meter) | 2.717€ - 8.929€ |
| Source of information on sales prices | https://immigrantinvest.com/real-estate/montenegro/apartments-in-the-5-star-breza-hotel-en/ |

Hotel complex Bjelasica 1450



| | |
|---|---|
| Date of entry on the List | March 2020 |
| Investor | Bjelasica 1450 LLC, (founder: Zetagradska, Podgorica) |
| The announced number of new jobs | 96 |
| The announced number of accommodation units | 169 |
| Sale price of the hotel apartments (per square meter) | 5.052€ - 6.648€ |
| Source of information on sales prices | https://bjelasica1450.me/ |

Hotel K16



| | |
|---|---|
| Date of entry on the List | Apr 23, 2020 |
| Investor | Ski Resort Kolašin 1600 JSC |
| The announced number of new jobs | 58 |
| The announced number of accommodation units | 116 |
| Sale price of the hotel apartments (per square meter) | 6.541€ - 7.327€ |
| Source of information on sales prices | https://k16resort.com/ |

Montis, a five-star hotel & resort



| | |
|---|---|
| Date of entry on the List | August 2020 |
| Investor | Montenegro Luxury Hotels and Resorts LLC, Kotor |
| The announced number of new jobs | 231 |
| The announced number of accommodation units | 238 |
| Sale price of the hotel apartments (per square meter) | 8.333€ - 11.111€ |
| Source of information on sales prices | https://immigrantinvest.com/real-estate/montenegro/apartments-in-a-five-star-hotel-in-the-montis-mountain-resort-en/ |

Hotel D with Annex E



| | |
|---|---|
| Date of entry on the List | Sept 24, 2020 |
| Investor | Ski Resort Kolašin 1450 JSC |
| The announced number of new jobs | 61 |
| The announced number of accommodation units | 116 |
| Sale price of the hotel apartments (per square meter) | 5.819€ - 7.951€ |
| Source of information on sales prices | https://development.kolasin1450.com/ |

Hotel Magnum



| | |
|---|---|
| Date of entry on the List | June 2022 |
| Investor | Magnum Development LLC, Podgorica |
| The announced number of new jobs | 64 |
| The announced number of accommodation units | 105 |
| Sale price of the hotel apartments (per square meter) | 5.290€ (početna cijena) |
| Source of information on sales prices | https://sothebysrealty.me/crown-plaza-hotel-residences-kolasin/ |

Hotel B



| | |
|---|---|
| Date of entry on the List | July 6, 2022 |
| Investor | Ski Resort Kolašin 1450 JSC |
| The announced number of new jobs | 52 |
| The announced number of accommodation units | 77 |
| Sale price of the hotel apartments (per square meter) | 5.819€ - 7.951€ |
| Source of information on sales prices | https://development.kolasin1450.com/ |

The state of public infrastructure as a reflection of local urban development policies

The economic citizenship program, whose moral, political, and security justifications have been questioned since its inception, was terminated at the end of 2022.¹⁴ However, the impact this program has had on Kolašin's spatial development will last for a long time, and it is hard to imagine that it will be positive for the city and its inhabitants. Firstly, Kolašin lacks the public utility infrastructure that could support these projects. This lack is evident in the conceptual architectural solutions for the new buildings, which regularly emphasize that the building lacks the conditions for connection to the water supply and sewerage system until the local authorities complete the urban water supply and sewerage systems planned by the detailed

urban plan. Official government reports come to similar conclusions: for example, in January 2023, it was reported that the continuation of the construction of the "Bjelasica 1450" hotel complex is jeopardized by "the lack of infrastructural prerequisites, namely connections to the electrical grid, water supply infrastructure, and sewerage system, as well as the lack of an access road."¹⁵

The poor quality of public infrastructure in Kolašin is a fact that current planning documents and accompanying analyses have long recognized but have failed to address. According to data from the 2014 PUP, in 2003, only 6% of apartments were connected to the public sewage system; data from 2023 shows that this percentage is now only 8.5% and still only includes the very center of the town.¹⁶ Infrastructure improvements have long been promised, and work on some is underway. Still, it is unclear within what timeframe and with which funds the city will be able to meet the new, massive infrastructure challenges and pressures. During the period of issuing urban-technical conditions for the construction of condo hotels listed in Table 1, the fee an investor had to pay for the provision of communal utilities for construction land in Kolašin was significantly lower than in the southern region - only 30 euros per square me-

14 *Vijesti*, "Buy an apartment - get a passport" (<https://www.vijesti.me/vijesti/drustvo/563256/kupis-stan-pasos-dobijes>); Center for Investigative Journalism of Montenegro, "Mostly Russians obtained citizenship through investment: a passport for some, sanctions for others" (<https://www.cin-cg.me/najvise-rusa-dobilo-drzavljanstvo-ulaganjem-nekome-pasos-nekome-sankcije/>);

Radio Free Europe, "Montenegro informed Brussels that it has abolished economic citizenship" (<https://www.slobodnaevropa.org/a/crna-gora-ukinula-ekonomsko-dr%C5%BEavljanstvo/32265425.html>).

15 Portal eKapija, "So far, 10.92 million EUR has been invested in the construction of the Bjelasica 1450 complex - Another 4-star condo hotel is being built in Kolašin" (<https://www.ekapija.com/news/3975623/u-izgradnju-kompleksa-bjelasica-1450-do-sada-ulozeno-1092-mil-eur-u>)

16 *Vijesti*, "New sewage system due to construction boom" (<https://www.vijesti.me/vijesti/drustvo/646886/kolasin-nova-kanalizacija-zbog-hipergradnje>)

ter.¹⁷ In addition, Article 239 of the Law on Spatial Planning and Construction provides many possibilities for reducing the fee for communal equipping of construction land, which in some cases may also apply to condo hotels.¹⁸ Finally, local government has, in some cases, decided to completely exempt similar projects from paying for the provision of communal utilities, justifying that the investor is in a position to build better infrastructure than municipal services would.¹⁹ Such provisions and decisions resulted in comparatively smaller revenues for the municipal budget, insufficient to meet Kolašin's existing infrastructure needs, let alone the needs of a series of new projects that are extremely demanding both spatially and infrastructurally. The scale of this challenge is also clearly seen in the simple comparison of the number of existing hotel accommodation units, of which there were 226 in Kolašin in 2019,²⁰ with the number of accommodation units under construction, of which there will be as many as 969 in condo hotels that are currently being built within the scope of the economic citizenship program (Table 1). Even if the Municipality of Kolašin manages to build the necessary infrastructure for this level of construction expansion and for the proper and unhindered functioning of these facilities in the next few years, it is hard to imagine

that this will not be at the expense of the existing urban fabric and the principles of environmental protection. If, for any reason, that infrastructure is not built (e.g., due to natural disasters, poor weather conditions, environmental protection risks, lack of funds, lack of labor, etc.), the newly built structures - or rather megastructures, considering Kolašin's spatial and infrastructural circumstances - will remain without the necessary conditions for operation and integration into urban and economic flows, i.e., they will be uninhabitable and unusable.

Even if that scenario does not come true, the "development" that is planned and implemented in this way is still deeply problematic. Those who advocate for it highlight the employment opportunities these projects will supposedly create (Table 1). Still, it remains unclear who exactly will be employed and what the quality of the new jobs will be, i.e., whether these are seasonal and occasional jobs or permanent positions. Suppose we assume that at least a portion of the new workforce for high-category hotels will have to come from outside (simply due to a lack of qualified personnel at the local level). In that case, the question arises as to where the new workers in Kolašin's tourism industry will be able to live, i.e., what is to be done about the lack of affordable housing in

17 The Kolašin Municipal Assembly only made a decision in March 2023 to increase this fee to 150 euros for construction in the first construction zone, 100 euros in the second, 70 euros in the third, and 30 euros in the fourth construction zone. (More details: <https://www.vijesti.me/vijesti/politika/647548/so-kolasin-vecina-glasala-za-uvecanje-komunalija-uzdrzani-okomogucnosti-polugodisnjeg-moratorijuma-na-gradnju>)

18 For example, each of these hotels announces the creation of dozens of jobs; for buildings intended for new employment of more than 10 people, the amount of compensation for communal equipping of the land can be reduced by up to 100%.

19 Vijesti, "They did not pay for the provision of communal utilities for the condo hotel" (<https://www.vijesti.me/vijesti/drustvo/171823/za-kondo-hotel-nisu-platili-komunalije>)

20 Monstat, Report on tourist capacities in collective accommodation, 2019. (<https://www.monstat.org/cg/page.php?id=45&pageid=45>)

Kolašin.²¹ This problem arises because “development” projects focus on building luxury accommodation units, whose prices are artificially inflated through public policies such as the economic citizenship program. The result is a sharp increase in prices for all real estate, which remains permanently out of reach for the working portion of the population unable to afford housing at these prices and in these conditions.

The existing policies of spatial development do not address contemporary social, economic, and environmental challenges

When the sole aim of spatial planning is to maximize profit by selling or renting newly built real estate at the highest possible price so that private investors can maximize their profits, all other functions of urban space suffer, along with the quality of life in the city. The citizens of Kolašin, both present and future, are facing a profit-oriented urban transformation in which common resources and spaces, public and green areas, and architectural heritage are being sacrificed. In this process, the citizens are not gaining better living and working conditions, improved common spaces, or public policies. Instead, they are merely being convinced by the decision-makers and capital owners that this rapid, aggressive, and long-term consumption of urban space is the only path to urban development, which, of course, is not true. For over a year, the local initiative “Zeleni Kolašin” (Green Kolašin)

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²¹ Portal Dnevno, “In the center of Kolašin, an apartment can no longer be rented for less than 500 euros, and the price per square meter ranges from 1,500 to even 4,000 euros” (<https://dnevno.me/ekonomija/-/u-centru-kolasina-stan-vise-ne-moze-da-se-iznajmi-ispod-500-eura-kvadratod-1-500-do-cak-4-000-eura-17-02-2023-16-58-37>)

has been working to articulate a different approach to Kolašin's development. A local group of activists has launched the initiative, aiming to challenge this perspective and advocate for a gradual and sustainable urban development that would prioritize the interests of the local community.²² A significant portion of the initiative's activities focus on clarifying the short-term and long-term spatial, economic, ecological, and social effects that past spatial development policies in Kolašin have had and on efforts to influence these policies through available forms of civic participation.

The preparation of new planning documents for the Municipality of Kolašin is underway; the competent authorities are expected to adopt the new Spatial-Urban Plan (PUP) soon, while work on the draft Detailed Urban Plan (DUP) for the city center has been in progress since the beginning of this year. The current course of these processes does not indicate that there will be a significant shift in the spatial development policy, which keeps its focus on the overdevelopment of tourist capacities and neglects other urban needs and functions. Even when the plans foresee investments in public infrastructure and other projects of public importance, their realization is either put on hold or incomparably slower than the construction of private projects. The new planning documents do not re-examine previously proposed solutions and miss the opportunity to adapt them to the new social, economic, environmental, and climate conditions. For example, the draft of the new PUP envisages an increase in urban areas in Kolašin from the existing 124 hectares to 482 hectares by 2030 (an increase of almost fourfold,

projected for a period of less than ten years), which is entirely the same planning projection provided by the PUP from 2014. Almost a decade later, the necessary communal infrastructure has not been developed, nor has the trend of population decline been halted. After this last decade, the Kolašin tourist economy faces an entirely new set of challenges of climate change and environmental preservation. Still, the planning solutions for Kolašin's future remain the same - therefore, at best, outdated and inadequate, and at worst, dangerous and dependent on the whims of the volatile industries of tourism and real estate.

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²² Facebook page of the initiative "Zeleni Kolašin" (Green Kolašin) (<https://www.facebook.com/profile.php?id=100090258912485>)



Privatization of Public Spaces and Buildings

In this chapter, we present several examples of privatization of public spaces and buildings in Kolašin. We chose some characteristic examples, illustrating the consequences the public interest suffers due to urban development policies based on the privatization of public resources. Moreover, these cases demonstrate a lack of engagement and promptness from the competent institutions and indicate the misalignment between local and state bodies and between administrations and inspections operating within different ministries. The analysis points to the need to critique the existing institutional framework and the public policies it produces, as well as to reconsider privatization as the dominant tool in shaping and implementing local urban development policies.

Privatization of Unprotected Cultural Heritage: The Marić House

The case of the Marić House in Kolašin is a prime example for a study on the impact of institutional negligence and inactivity on cultural and architectural heritage. On the other hand, this case also shows the importance of an activist approach by the local community and cooperation between that community and the local administration, as well as the ability of local authorities to recognize their mistakes and work to correct them. At this point, it is important to emphasize that the Marić House can still be preserved. Still, it's high time that institutions responsible for preserving cultural heritage act and support this process in accordance with their competencies.



Photo: Sonja Dragović

The Marić House was built at the beginning of the 20th century in the center of Kolašin by an affluent merchant family. The intriguing history and cultural value of the house have been documented by local cultural workers, primarily by the curator of the Local Museum, Draginja Kujović, in her book "Cultural Heritage of Kolašin." The house made it to the 21st century, but it did not receive official protection or the status of cultural heritage. However, the Detailed Urban Plan covering the center of Kolašin from 2008 (which is still in effect) does not foresee the demolition of this building. In fact, the plan states: "Within the plan's area, there are several old buildings of typical Kolašin urban architecture that should be maximally protected and preserved as examples of construction from the previous period."²³ In the graphic section, the plot on which the Marić House stands, as well as the house itself, are shaded with color and pattern, which indicate a planned marketplace with a shopping center. The plan does not explicitly state that the Marić House will be renovated and repurposed into a shopping center, but we can infer such intention here. At the time of this plan's adoption, the house was still owned by the Municipality of Kolašin; a few years later, as reported by journalist Dragana Šćepanović, the Municipality sold it for just 120,000 euros to the Podgorica-based company "Krisma."²⁴ The new owner was even issued urban-technical conditions for the reconstruction of the building within the existing dimensions, as he reportedly intended to renovate the house and establish business-service facilities in it. This renovation never happened, and the new owner, as Šćepanović notes, has not made any public

²³ Detailed urban plan Kolašin-Centar from 2008, p. 59

²⁴ Monitor, "Kolašin: Architectural Heritage on the Verge of Demolition: From Pride to Ruin" (<https://www.monitor.co.me/kolain-arhitektonsko-nasljee-pred-ruenjem-od-ponosa-do-ruine/>)

announcements regarding plans for the Marić House since 2011.

Years went by, and the physical condition of the house deteriorated. Reports indicate that municipal services had to secure parts of the building that were potentially dangerous to passersby. Somewhere in the middle of the last decade, as we learn from the reports by journalist Šćepanović, the Municipality of Kolašin requested an assessment of the building's condition from the Institute for Development and Research in the Field of Workplace Safety. The findings showed that the house's structural characteristics were such that it could withstand a reconstruction. However, the Institute concluded that the reconstruction costs would exceed the costs of demolition and building anew. Understanding the value of the Marić house - which has witnessed and continues to attest to the history of Kolašin for over 120 years - solely in terms of the "cost of reconstruction/cost of demolition and new construction" demonstrates a baffling lack of appreciation for the cultural, historical, and architectural heritage.

However, the opinion of the Institute for Development and Research in the Field of Workplace Safety left room for a choice between investing in reconstruction and demolishing the building; the authorities chose the demolition. In the period following the Institute's findings, at the beginning of March 2018, the Ministry of Sustainable Development and Tourism issued a demolition decision no. UP: 107/8-93/1. The urban and construction inspector ordered the private owner to "take measures on the building which, due to damage and wear, endangers the lives and health of people." The deadline for execution was three days from the delivery date of the decision, which the owner, somewhat expectedly

(since he hadn't dealt with the building for years), did not comply with.

Which brings us to recent events. As several years had passed and no processes - demolition nor protection of the Marić House - had started, the local government addressed a question to the Ministry of Ecology, Spatial Planning, and Urbanism in early 2022 regarding when the competent services would undertake the demolition works. At this point, the authorities did not even consider preserving and restoring this house. The inspector from the Ministry of Ecology, Spatial Planning, and Urbanism replied on July 1, 2022, that the executive service of the public company in charge of removing the old, damaged, or unstable buildings (LLC "Zaštita prostora Crne Gore") was supposed to demolish the house. According to the 2018 Compulsory Execution Decision on demolition, the work was scheduled for June 7, 2022. However, this did not happen because the demolition service "did not show up at the scheduled time on the site." Once again, the Marić House was preserved simply because no one was there to demolish it. This situation raises some questions about the purpose and efficiency of the public demolition service, but we will leave those aside for now.

The reopening of the question of demolishing the Marić House in the summer of 2022 also prompted a reaction from the NGO Society of Friends of Kolašin and local cultural workers, who once again drew public attention to the fact that the house represents valuable historical and cultural patrimony and that its demolition would cause immense damage to the local cultural and historical heritage. They prepared an urgent initiative to protect the Marić House, which was also supported by the municipal authorities in Kolašin. The initiative was submitted

to the Directorate for the Protection of Cultural Heritage under the Ministry of Culture. On August 5, 2022, through document number UP/1-02-253/2022-4, this Directorate informed the Municipality of Kolašin that it had accepted the initiative to establish protection for the property "Marić House in Kolašin" and also provided its Research Findings. The document accepting the initiative stated the following: "The Initiative to establish protection for the property "Marić House in Kolašin" is accepted, thereby meeting the conditions for implementing the mentioned Article 19 as well as Articles 23 and 24 of the Law on the Protection of Cultural Heritage and the regulations on the specific criteria and procedure for determining the cultural value of cultural property (Official Gazette of Montenegro no. 41/11)."

Article 19 of this Law refers to the Initiative for the Establishment of Protection and reads as follows: "(1) Anyone can submit an initiative to the Directorate for the establishment of protection of a cultural property. (2) The Directorate is obliged to consider the initiative referred to in paragraph 1 of this article and to notify its submitter in writing within 90 days from the date of submission of the initiative." Article 23 relates to the determination of cultural value. Paragraph 3 of this article states that "In the process of determining the cultural value of a property, the professional body from paragraph 1 of this article prepares a report that contains a detailed description of the actions taken and a justified professional opinion on the evaluation of properties, peculiarities, significance, and category of the property, as well as a description, cadastral marks, and a graphical representation of the boundaries of the immovable property and the boundaries of its protected environment." Article 24 pertains

to the criteria for determining cultural value, and it also states that the specific criteria and procedure for determining the cultural value of a property are prescribed by the state administration body responsible for cultural affairs, i.e., the Ministry.

Although the Directorate for the Protection of Cultural Heritage accepted the initiative, the Ministry did not immediately begin the work described in the articles mentioned above - that is, the work to determine the cultural value of the Marić House - with the urgency that seems necessary considering the condition of the building. However, in 2022, the Municipality of Kolašin took an important step by hiring Professor Ilija Lalošević from the Faculty of Architecture at the University of Montenegro and engineer Igor Đuranović, who drafted an Emergency Rehabilitation Report for the building with a preliminary measure and cost estimate. They submitted the report to the Municipality of Kolašin on August 16, 2022, which then, according to information from the Municipality, secured the funds for its implementation. However, since the Municipality of Kolašin no longer owns the Marić House and the House has not yet been declared a cultural property, legal obstacles have halted the rehabilitation work. The decision-making process regarding the status of the Marić House and further measures for its protection and reconstruction continues.

The Marić House has thus survived over a hundred years, several wars, and multiple executive demolition orders. At this moment, it still stands because several interested parties - the local community, local administration, and the Directorate for the Protection of Cultural Heritage - expressed at the last minute a desire to work on its preservation. Evidence of a long period of neglect includes the priva-

tization of a house that undoubtedly deserves the status of a cultural property, findings that demolition would be a cheaper way to resolve the issue of the Marić House, and the Ministry of Culture’s lack of urgency in examining its cultural value, and then in preserving the building. Fortunately, in this case, there is a chance to correct previous mistakes. It remains to be seen how the work already invested, along with the evidently good intentions of local actors and competent state institutions, can be directed towards the protection and restoration of the Marić House in Kolašin as the desirable outcome of this lengthy process.

Privatization of Public Green Spaces: The Cases of the Public Park and Lug

Due to how the municipal government managed Kolašin’s spatial resources over the past few decades, the town no longer has a public park. Specifically, there are no public green areas left in the center of Kolašin, except for parts of the lawn on the main city square, Trg boraca. Larger green areas were privatized in processes that typically lacked transparency and caused lasting damage to the municipal budget and the quality

²⁵ *Vijesti*, “Who took away Kolašin’s park?”

(<https://www.vijesti.me/vijesti/drustvo/621155/ko-je-kolasinu-oduzeo-park>)

²⁶ *Vijesti*, “Felled trees in Kolašin’s park forest” (<https://www.vijesti.me/vijesti/drustvo/636285/posjecena-stabla-u-kolasinskoj-park-sumi>)

of life and urban environment in Kolašin.



Photo: Initiative “Zeleni Kolašin”

The former public park of Kolašin was the park surrounding the “Bjanka” hotel, formerly known as the “Bjelasica” hotel. The current hotel building, constructed in 1979 as a significant achievement of the architect Radosav Zeković, was a part of the Yugoslav social enterprise “Veletrgovina.” The area around the hotel was designated as a city park in the early 1960s, as stated by Kolašin’s publicist and chronicler Branislav Jeknić. The seedlings were provided by the forestry department at the time, and they were planted and nurtured by students of Kolašin schools, along with the citizens.²⁵ According to Jeknić’s extensive research, the park was a common property, and there were no historical or proprietary reasons for it to be considered an integral part of the “Bjelasica” hotel. However, when the hotel was sold to the company “Beppler & Jacobson” in 2006, the park went with it. Today, this company manages the park as private property: they cut down trees without consulting the authorities²⁶ and can, as Jeknić points out, either allow or deny the municipal authorities permission to set up a children’s playground there. It remains unclear who and why decided

to hand over the city park to the “Beppler & Jacobson” company along with the “Bjelasica” hotel. Still, it certainly marks another infamous chapter in the privatization saga of Kolašin.



Photo: Initiative “Zeleni Kolašin”

The park by the “Bjanka” hotel still exists - at least until its new owners decide otherwise. However, the greenery at Lug, another significant green space in the city center that has become private in recent years, has already been largely removed due to the planned construction of a hotel financed by the company “KIPS gradnja” from Podgorica. Lug is a green belt populated with numerous perennial deciduous and coniferous trees, located near the “Risto Manojlović” Primary School and the “Sestre Radović” Kindergarten. While this area was under municipal ownership, Kolašin schools used it for sports exercises and events, and students eagerly participated in regular cleaning and maintenance actions carried out by local non-governmental organizations. Following the Lug area were sports fields that are an integral part of the Kolašin Sports Center. In this belt, several

similar purposes were brought together and connected into a harmonious urban function.

It’s difficult to obtain information about when exactly Lug was privatized and at what price. What is known is that the current owner of this plot is the company “KIPS gradnja”, which plans to build a hotel there. As part of the preparations for construction work, the new owners cut down 44 trees of black pine, spruce, elm, poplar, maple, ash, linden, and willow from this plot in March this year, with the approval of the Forestry and Hunting Management Administration.²⁷ The cutting occurred even though the company “KIPS gradnja” did not previously submit an Environmental Impact Assessment of the hotel construction to the Environmental Protection Agency. Moreover, the company cut the trees even though the conceptual solution for the hotel project had committed to not destroying or cutting down any trees but, when and if needed, relocating them to another place within the plot. The cutting is problematic not only due to the damage caused by destroying valuable greenery in the city center but also because Lug is located next to a road that connects the center with the access road to the Podgorica-Mateševo highway section. Since the opening of the highway, this road has been overburdened due to the increased volume of traffic, and its stability could be endangered by the loss of support and protection against erosion that the trees on Lug provided. However, no competent institution took any action on this matter. The green belt of Lug has become private property. It is yet another concerning example of the many ways in which the privatization of central green spaces

.....
 27 *Vijesti, Kolašin: They cut down the park to build a hotel*
 (<https://www.vijesti.me/vijesti/drustvo/649110/kolasin-posjekli-park-da-bi-gradili-hotel>)

jeopardizes the public interest in the long term.

These two examples are, of course, not isolated; over the past few decades, valuable assets of the Kolašin municipality have been privatized at shockingly low prices, enabling new owners to reap vast profits. Research by MANS in 2012 revealed that in 2006, the company “Beppler & Partners” purchased nearly 3 million square meters of forests and pastures belonging to the company “Sinjajevina” from the Kolašin municipality for 120,100 euros, given that the estimated cost was 120,000 euros. Hence, the price per square meter of land was 4 cents. Four years later, the value of this same land was estimated at 9.85 million euros and was presented as a significant asset of the company “Beppler & Partners.”²⁸ A series of opaque privatizations in Kolašin still needs thorough investigation, and the long-term damage to the city’s budget and future, as well as individual accountability, must be accurately identified and presented to the public.

Privatization of public pedestrian infrastructure: The staircase between Fourth Proletarian Brigade Street and the Fallen Partisan Women Street



Photo: Initiative “Zeleni Kolašin”

One of the main characteristics of Kolašin’s longitudinal urban matrix is its traffic corridors, among which both locals and visitors highlight

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²⁸ Network for the Affirmation of the Non-Governmental Sector (MANS), Case Study “Beppler-Kolašin,” 2012 (<https://www.mans.co.me/wp-content/uploads/studijeslucajeva/urbanizam/BEP-PLER-KOLASIN.pdf>)

the value of pedestrian areas. There are two significant reasons for such a perception, which, among others, can be found in urban theory as fundamental techniques for improving the quality of life in cities. The first is that we only have an actual experience of a city with its buildings, parks, streets, and urban details as pedestrians, for it is precisely these pedestrian corridors that serve, from an urbanistic point of view, for the city to boast and promote its unique features. The second reason lies in controlling urban problems caused by extensive motorized traffic, which, over the past half-century, has taken the cities over. In line with this, all existing planning documentation (at least declaratively) encourages the development of pedestrian, bicycle, and public transport for the sake of healthy lifestyles, ecology, traffic relief, and generally reducing the consumption of space as a non-renewable resource. One of the main pedestrian corridors in Kolašin is Ulica IV proleterske brigade (Fourth Proletarian Brigade Street, popularly known as Siberian Street), which connects the upper and lower central city squares, creating an entirely pedestrian, safe, and clean walking zone. This pedestrian route is also the only street in Kolašin closed to motorized traffic. Such pedestrian zones typically connect with all surrounding pedestrian areas, offering walkers numerous choices, regardless of whether they wander aimlessly or use the route to take a shortcut on their regular route. The valid planning solution assumes that this route not only connects the two squares but also opens to sidewalks of surrounding roads. On one side, it invites pedestrians from Ulica Generala An-

29 *Vijesti, Staircase privatized, residents fearful*

(<https://www.vijesti.me/vijesti/drustvo/671476/stepeniste-privatizovano-stanari-u-strahu>);

Vijesti, Kolašin: They purchased the municipal land, then wanted the state-owned too (<https://www.vijesti.me/vijesti/drustvo/671986/kolasin-kupili-opstinsko-pa-htjeli-i-drzavno>).

đelića (General Anđelić's Street). On the other, in its geometric and natural continuation, it opens with a staircase towards Ulica palih partizanki (Fallen Partisan Women Street), which is at a lower level, and another similar staircase opposite Vukman Kruščić Square. In this way, the main pedestrian corridor of zone B of the city center connects with zone A, located on lower terrain, in regular, rhythmic connections: staircases situated between buildings, one continuing from Vukman Kruščić Square and another in line with General Anđelić's Street, from directions that provide a spectacular view of Kolašin's natural landscape.

The problem arose in 2023, amid a construction boom in Kolašin, when plans and problems created 16 years prior started to materialize. Specifically, ownership of both staircases, which belonged to public city spaces (like squares and streets), passed into private hands. Very quickly after that, the planning documentation allowed for constructing private buildings on these surfaces. How and under which regulations did the local government sell public spaces to private individuals? It might not be a complex question, but it turns out to be a difficult task for the institutions responsible for dealing with it, considering the sale that took place back in 2007 has only recently sparked the interest of the public and the media.²⁹

After establishing ownership rights, according to the set criteria, the newly acquired plots began to receive new functions and construction possibilities, provided by the plans drafted soon after these spaces became privately owned. Thus, the current DUP Kolašin



Illustration: DUP Kolašin Center, attachment "Traffic." Transverse pedestrian directions are marked with arrows, and the stairs towards Fallen Partisan Women Street and opposite Vukman Kruščić Square are circled in blue.

Center (adopted in 2008) envisions two central activity buildings on the site of the existing staircase connecting Fourth Proletarian Brigade Street and the Fallen Partisan Women Street: one with a structure of "2S+Pv" (two basement levels and a raised ground floor), and the other "2S+Pv+2+Pk" (two basement levels, raised ground floor, two floors, and an attic). Indeed, this planning document acknowledges the staircase in that location, but only as a passageway that runs through those two buildings. Such a planning decision is, at the very least, questionable. It prescribes the permissible heights of buildings along the streets to be up to five above-ground levels in this zone, which inherently obstructs the landscape and natural potentials that the same planning document praises and declaratively identifies as a natural asset, adding significant value to the future development of this area.³⁰ Inserting yet another private building into this uninterrupted sequence of tall structures situated along a narrow pedestrian street and visually blocking the connecting



The view from the top of the stairs from Siberian Street (Fourth Proletarian Brigade Street). The construction of tall buildings in the place of the staircase would permanently lose the view. Photo: Sonja Dragović

pedestrian paths to the Siberian Street corridor, as well as obstructing views of the surrounding landscapes, can only produce segregative effects that Kolašin, morphologically, cannot afford, especially not for the minor individual interest of a privileged investor. Along with this, one should bear in mind the timing of the adoption of this planning document - specifically, in 2008, the legal framework for drafting the planning document assumed that the work of planners on creating

³⁰ Detailed urban plan Kolašin Center, from 2008


the document was initiated and paid for by the interested landowners and future investors.

The following link in this chain of procedures involves the architectural designers, and here, we most often encounter a divergence between theory and practice. Firstly, because the owner, or the investor, is again the person who pays the designer to plan the building and the passage. Then, investors usually interpret this passage as a hole in their building (or a hole in their wallet) since the square meters that end up in that hole cannot be sold and monetized. Consequently, the designer will design the passage as small as possible, resulting in a narrow, low, dark, unattractive, uncomfortable space cluttered with external air conditioning units, leaking hoses, and flickering lighting - a space through which few will want to pass. After a while, this space will eventually be concealed or appropriated and repurposed. The second, much more optimistic and less likely scenario would be for a generous investor and a principled and talented designer to come together at the same time and place to create the prescribed passage. But what kind of passage can frame even a part of the view that extends to the surrounding hills and mountains of Kolašin along a narrow street framed by five-story buildings?

Traffic, especially pedestrian traffic, is one of the arteries of every city. The rhythm of life and communication instructs us to use and improve upon it, while considering our needs and staying aware that it is a collective system. The infrastructure that accommodates traffic is a public good located on public land, built with public money, and it must be accessible to everyone.

The period of transition and sudden construction expansions that resulted

from it are characterized by a privatization policy, especially concerning public spaces and buildings - we have witnessed the privatization of cultural assets, parks, squares, and streets. Although it has long been clear that the privatization of public and common goods makes cities alienated and society impoverished, this neoliberal practice is still in force in our cities, wholeheartedly supported by responsible officials in competent institutions. Planners and designers unquestioningly participate in this process, setting aside their integrity, devaluing the worth of professional knowledge, and signing off on the devastation of what remains of undeveloped space. In the case of Kolašin, the result will be yet another exhausted and overdeveloped town full of structures without use permits and the astonishment of the next local administration, which, like each one before it, will be surprised by the chaotic spatial development situation for which, miraculously, no one is ever to blame or be held accountable. By then, the investors will already be long gone. And the citizens? The citizens could have expressed their grievances at the public discussion back in 2008.

The background of the page is filled with a pattern of thin, parallel diagonal lines. The lines are black on a white background and are arranged in a grid-like fashion, creating a textured, architectural feel. The lines are oriented at approximately a 45-degree angle.

Under Construction Projects: A Glimpse into the Outcomes of Urban Development Public Policies that Don't Prioritize the Public Interest

This section consists of a catalog of six projects whose construction in Kolašin has already started or at least has been approved by the competent authorities. The catalog does not encompass all new projects. Still, it represents a selection of examples we could analyze at this time based on available information and in accordance with the resources we had at our disposal. Each example is presented through a detailed analysis of the conceptual solutions that investors submitted to the relevant institutions to obtain approvals, which we accessed under the Freedom of Information Act. We identified and highlighted inconsistencies in the conceptual solutions with relevant detailed urban plans, urban-technical conditions, and regulations. The fact that each of these projects has violated several conditions and parameters that had to be adhered to, and yet the projects mostly received the necessary approvals despite this, speaks volumes about the state of control mechanisms in the areas of spatial planning and construction.

//////////////////// Tourist facility - hotel, category 4* //////////////////////



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| Investor | KIPS GRADNJA doo Podgorica |
| Concept designer | A-TIM STUDIO doo Podgorica |
| Lead architect | mr Tonja Ratić, d.i.a., License number UPI 107/7-1687/2 |
| Location: | |
| <ul style="list-style-type: none"> - urban plot: part of UP 5, zone D, subzone D2, DUP Kolašin Centar - cadastral plot no. 280/5, KO Kolašin | |
| Planning document | DUP Kolašin Center, from 2008 |
| CSA/CCA approval, number and date | Consent of the Chief State Architect Mirko Žižić, no. 09-332/22-5566/3 from 11.08.2022 |
| Status (planned, approved, under construction, built) | Approved by the Chief State Architect |
| Permitted gross built-up area (BRGP), based on the urban-technical conditions prescribed by the Detailed Urban Plan: | 11.098,73 m2 |
| Designed gross developed construction area (BRGP), based on the preliminary design: | 11.098,73 m2 |
| Is the project on the list of development projects in the field of tourism, within the economic citizenship program? | No |

PUBLIC POLICIES AND PRIVATE INTERESTS:

Description of the project, based on the concept design

At the Lug site, at the entrance to Kolašin from the direction of Mateševo, the preliminary design envisions the construction of a 4-star hotel with a total of 8 floors. The planned building has 202 accommodation units, 84 garage spaces, necessary accompanying facilities such as a restaurant, bar, and reception, as well as a kitchen and technical rooms.

Location: <https://goo.gl/maps/5Znafc3QhttbAYaV7>

Number of Floors

The permitted number of floors, based on the urban-technical conditions prescribed by the Detailed Urban Plan, is a total of 6 floors: basement+high ground floor+3 floors+attic (S+Gh+3+At).

The designed number of floors, based on the concept design, is a total of 8 floors: basement+lower ground floor+high ground floor+3 floors+attic+attic(Bs+Gl+Gh+3+At+At).

The attic, in this case, functions as an additional floor because it is equipped for a use that goes beyond the strictly technical space.

Technical conditions for connection to the city water supply and sewage system, based on urban-technical conditions prescribed by the Detailed Urban Plan:

There are no conditions for connection until the realization of the city's water supply and sewage systems planned by the DUP.

Non-compliance with the Regulation on Types, Minimum Technical Conditions, and Categorization of Hospitality Facilities

| | |
|---|--|
| <p>Article 53 of the Regulation:</p> <p>“The number of accommodation units in the attic of the hospitality facility must not exceed 10% of the total number of accommodation units in the facility.”</p> | <p>It is allowed to have a maximum of 20 accommodation units built in the attic, but here, as many as 81 accommodation units have been planned in the attic.</p> |
| <p>The minimum surface area of a one-room apartment with a bathroom: 45 m²</p> | <p>100 accommodation units (out of a total of 202) do not meet this requirement.</p> |
| <p>Restaurant: at least 60% of seats relative to the number of beds, at least 1.5 m² per seat</p> | <p>Does not meet the requirement; for the projected 442 beds, i.e., 265 seats, the area of the restaurant must be at least 397.5 m², significantly more than 192 m², which was designed.</p> |
| <p>Kitchen: the areas of the kitchen and the restaurant with a standard menu should be in the ratio of 30%:70%</p> | <p>Does not meet the requirement; for a restaurant with a standard menu of 397.5 m², the kitchen must have an area of 170 m², and only 124 m² was designed.</p> |

| | |
|---|--------------------------------|
| Four elevators for guests (for facilities with 151-250 accommodation units) | Meets the requirement. |
| Elevator for staff (for facilities with over 25 accommodation units) | Does not meet the requirement. |
| Food elevator (for facilities with over 50 accommodation units) | Does not meet the requirement. |
| Marked parking spaces for buses | Does not meet the requirement. |

Other comments

- » The contractor began demolition and removal work on the existing trees, even though the conceptual design planned for the transplantation of the existing trees.
- » The possibility of construction on a part of the property, approximately 115.99m² (cadastral parcel number 596/2), is questionable since the investor does not own it.
- » It is doubtful whether the investor has cut down trees located on the portion of the property in state ownership.
- » The high-end hotel is designed without an entrance section or a windbreak (there are no marked entrances nor entrance doors for hotel guests, let alone a service entrance, employee entrance, waste disposal, etc.). These areas should be included in the projected layout. Since the allowed and projected gross developed area match to the second decimal point of a square meter, and since the hotel cannot function without an entrance, the subsequent addition of these necessary areas means that the projected gross developed area will definitely exceed the allowed parameters.
- » Consequently, the aforementioned areas of the reception, the lobby with a bar and reception, will be significantly reduced. It is questionable whether they will meet the minimum requirements prescribed by the Regulation on types, minimum technical conditions, and categorization of hospitality facilities.
- » Due to the insufficient restaurant area, positioned in the basement of the building, the designer added a terrace area to the restaurant, which simply does not exist in the project, and placed an additional three restaurant tables in the middle of the hotel lobby on the ground floor. Even with these impermissible interventions, the restaurant's capacity does not meet the Regulation on types, minimum technical conditions, and categorization of hospitality facilities.
- » The doors of the toilet for persons with disabilities on the ground floor open directly onto the men's toilet doors, which does not follow the Regulation on specific conditions and the manner of adapting facilities for access and movement of persons with reduced mobility and persons with disabilities, nor with the fire protection standards.
- » The concept design is not satisfactorily technically elaborated and prepared, especially regarding cross-sections, in the sense of clearly displaying all parts of the building.

////////// Tourist complex Breza, condo business model, category 5* //////////



| | |
|--|--|
| Investor | CG RESORT doo Tivat |
| Concept designer | AIM STUDIO doo Podgorica |
| Lead architect | Ivan Milošević, dipl.ing.arh. License number UPI 107/7-1751/2 |
| Location: | <ul style="list-style-type: none"> - urban plot: UP 182 and UP 194, DUP Breza - cadastral plot no. 1108/2, 1106/18, and 1109, KO Kolašin |
| Planning document | DUP Breza, from 2011 |
| CSA/CCA approval, number and date | Consent of Chief State Architect Dragan Vuković, no. 05-1663/3 from 17.11.2020. |
| Status (planned, approved, under construction, built) | Under construction |
| Permitted gross built-up area (BRGP), based on the urban-technical conditions prescribed by the Detailed Urban Plan: | 3 529.60 m ² + 7 422.40 m ² |
| Designed gross developed construction area (BRGP), based on the preliminary design: | 3 526,93 m ² + 7 418,22 m ² |
| Is the project on the list of development projects in the field of tourism, within the economic citizenship program? | Yes |

HOW KOLAŠIN TURNED INTO A CONSTRUCTION SITE FOR THE PRIVILEGED

Description of the project, based on the concept design

At the Breza site, along the Tara River in Kolašin, the conceptual design envisages the construction of a 5-star tourist resort consisting of two connected buildings with a total of 6 and 5 floors. The designed buildings have 161 accommodation units, 90 garage spaces, a swimming pool, a spa center, a conference hall, a casino, essential accompanying facilities in the form of a restaurant, bar, and reception, and a kitchen and technical rooms intended for maintenance.

Location: <https://goo.gl/maps/GiePXwi7z68CryVE7>

Number of Floors

The permitted number of floors, based on the urban-technical conditions prescribed by the Detailed Urban Plan, is a total of 4 floors: ground floor+2 floors+attic (Gh+2+At for UP 182; Gh+2+At for UP 194).

The designed number of floors, based on the concept design, is a total of 6 floors: basement+lower ground floor+ground floor+2 floors+attic (Bs+Gl+G+2+At for UP 182; 2Bs+G+2+At for UP 194).

The plan also allows the construction of underground floors (basement), so, in this respect, the project is following the plan. However, with this project, the question of interpretation of the provisions related to the area and the use of the attic remains open. Namely, a flat concrete slab of unique height was designed above the permitted attic floor, to which a reinforced concrete staircase leads. Thus, an entire additional and independent attic surface was created, i.e., another floor, which is not allowed by the plan and whose area is not represented in the total built area of this hotel. Therefore, the attic floor designed in this way could exceed the number of floors specified in the plan. On the other hand, if the designer did not intend to violate the number of floors, the total height of the last permitted floor is approx. 3m + 6m (which is enough space to accommodate as many as three floors under the roof), which exceeds the floor height defined by Article 100 of the Regulation on the detailed content and form of the planning document, land use criteria, elements of urban regulation and unique graphic symbols. Simply put, the fact that this space - this additional floor - is not equipped with furniture and numerically included in the obtained gross square footage of this conceptual design does not mean that it does not exist and that it does not represent a designer's offense and, at the very least, an oversight by the auditor and the Chief State Architect. It is necessary to distinguish the use of the attic space permitted by the plan, which occurs as a result of the slope of the roof planes over large horizontal dimensions (e.g., for storage, technical needs, etc.) from the design of an additional attic floor of full floor height - therefore, space for the accommodation of additional independent residential units, which is not permitted by the plan and which only poses as an attic.

Technical conditions for connection to the city water supply and sewage system, based on urban-technical conditions prescribed by the Detailed Urban Plan:

There are no conditions for connection until the realization of the city's water supply and sewage systems planned by the DUP.

Non-compliance with the Regulation on Types, Minimum Technical Conditions, and Categorization of Hospitality Facilities

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| <p>Article 53 of the Regulation:</p> <p>“The number of accommodation units in the attic of the hospitality facility must not exceed 10% of the total number of accommodation units in the facility.”</p> | <p>It is allowed to have a maximum of 16 accommodation units built in the attic, but here, 46 accommodation units have been planned in the attic.</p> |
| <p>The minimum surface area of a one-room apartment with a bathroom: 55 m²</p> | <p>5 accommodation units (out of a total of 16 one-room apartments) do not meet this requirement.</p> |
| <p>Restaurant: At least 80% of seats relative to the number of beds, at least 1.8 m² per seat</p> | <p>Meets the requirement.</p> |
| <p>Kitchen: the areas of the kitchen and the restaurant with a standard menu should be in the ratio of 30%:70%</p> | <p>Meets the requirement.</p> |
| <p>Four elevators for guests (for facilities with 151-250 accommodation units)</p> | <p>Meets the requirement.</p> |
| <p>Elevator for staff (for facilities with over 25 accommodation units)</p> | <p>Meets the requirement.</p> |
| <p>Food elevator (for facilities with over 50 accommodation units)</p> | <p>Meets the requirement.</p> |
| <p>Marked parking spaces for buses</p> | <p>Does not meet the requirement.</p> |

Non-compliance with the Regulation on the detailed content and form of the planning document, land use criteria, elements of urban regulation, and unique graphic symbols

» According to Article 98, a floor represents a part of the building with a unique height level or with minor deviations in leveling that do not exceed half the floor height. Given that the designed floor height in the building is 3.30m, the maximum floor height can be 4.95m. However, the height of the attic floor in one part is about 8 meters, which is not in accordance with this Regulation. Moreover, above the attic, a flat concrete ceiling is designed, creating an attic space accessed by a reinforced concrete staircase, which exceeds the number of floors compared to the planning document.

Other comments

- » The concept design does not contain a project assignment.
- » The data from the graphical appendices suggest that the designer left the entire attic space of the main building, which has an internal height of approximately 6m (up to 8m in parts), completely unused. That is unlikely, as the designer provides access to this space via staircases, divides it with reinforced concrete slabs, and even gives it a façade treatment. The square footage created in this manner is omitted from the project's numerical documentation, and it's neither anticipated nor permitted by the plan. If this area were included in the project's numerical documentation, the parameters set by the urban-technical conditions would be significantly exceeded.

////////// Residential building with activities and a condo hotel, category 4*



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| Investor | BB INVEST GROUP doo Podgorica |
| Concept designer | ARHITEKTONSKI ATELJE doo Podgorica |
| Lead architect | dr Mladen Đurović, dipl.inž.arh. License number UPI 107/7-66/2 |
| Location: | <ul style="list-style-type: none"> - urban plot: part UP1 and part UP3, zone H, subzone H6, DUP Kolašin Centar - cadastral plot no. 751/1, 752/1 and 753/1, 751/2, 753/2 and 754/1, KO Kolašin |
| Planning document | DUP Kolašin Center, from 2008 |
| CSA/CCA approval, number and date | Consent of the Chief State Architect Mirko Žižić, no. 09-332/22-1707/2 from 06.04.2022. |
| Status (planned, approved, under construction, built) | Under construction |
| Permitted gross built-up area (BRGP), based on the urban-technical conditions prescribed by the Detailed Urban Plan: | 9.685,50 m ² |
| Designed gross developed construction area (BRGP), based on the preliminary design: | 9.645,10 m ² |
| Is the project on the list of development projects in the field of tourism, within the economic citizenship program? | No |

HOW KOLAŠIN TURNED INTO A CONSTRUCTION SITE FOR THE PRIVILEGED

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| <p>Description of the project, based on the concept design</p> <p>In the central zone of Kolašin, designated for residential purposes, where currently mostly single-story residential buildings exist, a mixed-use building is being constructed with a total of 8 floors. This building predominantly features business apartments (48 accommodation units) and accommodation units as part of a condo hotel (60 accommodation units), while the residential aspect is largely neglected (only 16 apartments).</p> <p>Location: https://goo.gl/maps/n12LnZgT3zqX3asv9</p> | |
| <p>Number of Floors</p> <p>The permitted number of floors, based on the urban-technical conditions prescribed by the Detailed Urban Plan, is a total of 6 floors: basement+high ground floor+3 floors+attic (S+Gh+3+At).</p> <p>The designed number of floors, based on the concept design, is a total of 8 floors: basement+lower ground floor+ground floor+3 floors+attic+attic (Bs+Gl+G+3+At+At).</p> | |
| <p>Technical conditions for connection to the city water supply and sewage system, based on urban-technical conditions prescribed by the Detailed Urban Plan:</p> | <p>There are no conditions for connection until the realization of the city's water supply and sewage systems planned by the DUP.</p> |

Non-compliance with the Regulation on Types, Minimum Technical Conditions, and Categorization of Hospitality Facilities

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| <p>Article 53 of the Regulation:</p> <p>"The number of accommodation units in the attic of the hospitality facility must not exceed 10% of the total number of accommodation units in the facility."</p> | <p>It is allowed to have a maximum of 6 accommodation units built in the attic, but here, 15 accommodation units have been planned in the attic.</p> |
| <p>The minimum surface area of a one-room apartment with a bathroom: 45 m²</p> | <p>5 accommodation units (out of a total of 18 apartments) do not meet this requirement.</p> |
| <p>Restaurant: at least 60% of seats relative to the number of beds, at least 1.5 m² per seat</p> | <p>Meets the requirement.</p> |
| <p>Kitchen: the areas of the kitchen and the restaurant with a standard menu should be in the ratio of 30%:70%</p> | <p>Does not meet the requirement.</p> |
| <p>Two elevators for guests</p> | <p>Does not meet the requirement.</p> |
| <p>Elevator for staff (for facilities with over 25 accommodation units)</p> | <p>Does not meet the requirement.</p> |

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| Food elevator (for facilities with over 50 accommodation units) | Does not meet the requirement. |
| Marked parking spaces for buses | Does not meet the requirement. |
| The surface area of bathrooms in accommodation units for this accommodation category: minimum 4.5 m ² | The square footage of the rooms in the hotel accommodation units is not provided in tabular form, and the graphical representations are not equipped with dimension lines, so it is unclear whether the bathrooms meet the minimum surface area requirement. |

Other comments

- » The plan and urban-technical conditions specify a purpose of “residential with activities” - not tourism and recreation, nor tourism and catering, nor mixed-use, nor central or business service activities, which as such exist in this plan. The designer, in the technical description of the project, provided (unfoundedly) an explanation equating the plan’s purpose of “residential” with the purpose of “mixed activities.” Then, based on his own explanation, he designed:
 - 108 accommodation units of a condo hotel and business-tourist apartments (business) and
 - only 16 apartments (residential).
- » According to the plan and urban-technical conditions, the total gross developed construction area is strictly divided into:
 - business 17%;
 - residential 83%.
 The designer, presumably driven by the investor’s desire for a “better market response” (which is clearly expressed in the project assignment), did the exact opposite and designed:
 - business 82%;
 - residential 18%.
 By doing so, the designer knowingly violated the planning document. The project auditor and the Chief State Architect did not prevent this violation.
- » The urban-technical conditions issued based on the Detailed Urban Plan of Kolašin Center do not prohibit the addition of an attic floor for the purpose of using attic space. Still, they also explicitly state: Where there are technical possibilities, in addition to the planned ones, there remains an option of using attic spaces in the unchanged external outline of the building. The dormers, which appear on the second attic floor of this building, represent a change in the roof’s geometry to ensure height and lighting that otherwise (under the original roof geometry) could not be achieved and definitely change the external dimensions of the building, which violates the urban-technical conditions.

//////////////////// **Tourist building - hotel Magnum, category 4*** //////////////////////



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| Investor | Chilikina Olga, Merkurjeva Zlata, and Iudin Dimitrij |
| Concept designer | BUSINESSART d.o.o. |
| Lead architect | Mladen Krekić, dott. Arch License number UPI 107/7-1938/2 |
| Location: | <ul style="list-style-type: none"> - urban plot: parts of urban plots: UP 4, UP 5, UP 6, UP 7 and UP 8, DUP Kolašin Center - cadastral plot no. 293, 317/6, 317/7 and 317/8 and parts of plot 292, 294, 295, 436, 317/1, 317/9, 317/10, 317/12, 317/17, 317/18, KO Kolašin |
| Planning document | DUP Kolašin Center, from 2008 |
| CSA/CCA approval, number and date | Information on the consent of the Chief State Architect is not available. |
| Status (planned, approved, under construction, built) | Under construction |
| Permitted gross built-up area (BRGP), based on the urban-technical conditions prescribed by the Detailed Urban Plan: | 7.682,12 m2 |
| Designed gross developed construction area (BRGP), based on the preliminary design: | 7.680 m2 |
| Is the project on the list of development projects in the field of tourism, within the economic citizenship program? | Yes |

PUBLIC POLICIES AND PRIVATE INTERESTS:

Description of the project, based on the concept design

In the very center of Kolašin, opposite the Spomen Dom (Memorial Home), a “4+*” category hotel has been designed. Spread across seven floors, it houses 102 accommodation units (82 rooms and 20 apartments), a swimming pool, spa center, restaurant, and a garage for 40 vehicles with accompanying and technical rooms, without designated external parking spaces.

The designer plans to place the building, with its imposing horizontal dimensions and a height of approximately 23 meters, right on the sidewalk of the street that separates it from the Memorial Home - an internationally recognized cultural heritage protected in Montenegro. The lack of urban and architectural communication both with the Memorial Home and with the rest of Kolašin’s center is evident. The absence of such communications looms large in the conceptual design of this building.

Location: <https://maps.app.goo.gl/kgZzk4n2VMBkxcdn8>

Number of Floors

The permitted number of floors, based on the urban-technical conditions prescribed by the Detailed Urban Plan, is a total of 6 floors: basement+high ground floor+3 floors+attic (S+Gh+3+At). The designed number of floors, based on the concept design, is a total of 7 floors: basement+lower ground floor+high ground floor+3 floors+attic (Bs+Gl+Gh+3+At).

Technical conditions for connection to the city water supply and sewage system, based on urban-technical conditions prescribed by the Detailed Urban Plan:

There are conditions for connecting to the city water supply and sewage network, even though the LLC Water Supply and Sewage Kolašin did not receive data on the dimensions of the building and the number of users for individual urban plots.

Non-compliance with the Regulation on Types, Minimum Technical Conditions, and Categorization of Hospitality Facilities

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| <p>Article 53 of the Regulation:</p> <p>“The number of accommodation units in the attic of the hospitality facility must not exceed 10% of the total number of accommodation units in the facility.”</p> | <p>It is allowed to have a maximum of 10 accommodation units built in the attic, but here, 11 accommodation units have been planned in the attic.</p> |
| <p>The minimum surface area of a one-room apartment with a bathroom: 45 m²</p> | <p>2 accommodation units (out of a total of 20) do not meet this requirement.</p> |
| <p>Restaurant: at least 60% of seats relative to the number of beds, at least 1.5 m² per seat</p> | <p>Meets the requirement.</p> |

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| Kitchen: the areas of the kitchen and the restaurant with a standard menu should be in the ratio of 30%:70% | Meets the requirement. |
| Three elevators for guests (for facilities with 151-250 accommodation units) | Meets the requirement. |
| Elevator for staff (for facilities with over 25 accommodation units) | Meets the requirement. |
| Food elevator (for facilities with over 50 accommodation units) | Meets the requirement. |
| Marked parking spaces for buses | Does not meet the requirement. |

Other comments

- » The designer categorizes the hotel as “4+”, suggesting that the building meets the criteria for a “5” category, which is not the case. In fact, the hotel does not fully meet even the criteria for the “4*” category, and given that the “4+*” categorization does not exist in the Regulations, it remains unclear what exactly is the purpose of this categorization.
- » The kitchen is poorly connected to the storage areas. The kitchen and kitchen storerooms are not on the same level and have only one elevator connecting them, which is not a freight elevator but an elevator of standard dimensions.
- » On the ground floor, in the area designated for accommodation units, two retail spaces open onto a corridor intended for accommodation units.
- » The number of parking spaces in the underground levels is 36, which does not meet the Regulations regarding the detailed content and form of the planning document (referred to by the urban planning and technical conditions), which requires ten parking spaces for every 1000 m² of hotel surface area. Therefore, 76 parking spaces are necessary.
- » Access to the garage is provided from the adjacent private plot.
- » The investor does not possess proof of ownership rights over the plots on which the building’s construction is planned (the conceptual design includes various urban-technical conditions with ownership documents that do not align with the current records in the cadastre).
- » The height and placement of the hotel concerning the two prominent landmarks of Kolašin in its immediate surroundings are concerning: the Memorial Home and the Bianca Hotel.

////////////////// **Apartment-commercial building** //////////////////////



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| Investor | V&B INVEST LLC Podgorica, CITY TAXI LLC Podgorica, and Veselin Barović |
| Concept designer | KALOS d.o.o. Budva |
| Lead architect | Marija Bliznakovski, dipl.ing. arh. License number UPI 107/7-1035/2 |
| Location: | |
| <ul style="list-style-type: none"> - urban plot: part of UP no. 20, zone G5, building 20, DUP Kolašin Center - cadastral plot: cat. plot no. 552/1 and part of the Code of Civil Procedure. 551, KO Kolašin | |
| Planning document | DUP Kolašin Center, from 2008 |
| CSA/CCA approval, number and date: | <p>Consent of the Chief State Architect Mirko Žižić, no. 09-332/22-2228/6, dated July 27, 2022.</p> <p>Decision on cancellation of consent, issued by Chief State Architect Vladan Stevović, no. 09-332/22-2228/7, dated March 6, 2023.</p> <p>Consent of Chief State Architect Vladan Stevović no. 09-332/22-2228/13, dated June 22, 2023.</p> |

HOW KOLAŠIN TURNED INTO A CONSTRUCTION SITE FOR THE PRIVILEGED

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| Status (planned, approved, under construction, built) | Under construction (date of construction works registration: 10/19/2022) |
| Permitted gross built-up area (BRGP), based on the urban-technical conditions prescribed by the Detailed Urban Plan: | 5.754,90 m ² |
| Designed gross developed construction area (BRGP), based on the preliminary design: | 3.734,73 m ² |
| Is the project on the list of development projects in the field of tourism, within the economic citizenship program? | No |

Description of the project, based on the concept design

On this urban plot, the construction of a building intended for tourism and hospitality is allowed, where, among other uses, apartment buildings are envisioned. Following the guidelines from the urban-technical conditions, an apartment-business building of a total of 7 floors has been designed. The plot has an elongated trapezoidal shape with a very steep decline from south to north. The main pedestrian access to the plot is directly from the road on the south side, while access to the garages via ramps is from the existing road on the east side.

Location: <https://goo.gl/maps/VwbdI6ka2HXc6E3v9>

Number of Floors

The permitted number of floors, based on the urban-technical conditions prescribed by the Detailed Urban Plan, is a total of 6 floors: basement+ ground floor+3 floors+attic (S+G+3+At).

The designed number of floors, based on the concept design, is a total of 7 floors: 2 floors of underground garage+ground floor+3 floors+attic (2Bs+G+3+At).

Technical conditions for connection to the city water supply and sewage system, based on urban-technical conditions prescribed by the Detailed Urban Plan:

The technical conditions for connection to the city water supply and sewage system have not been provided, so it is unclear whether the facility can be connected and put into operation.

Non-compliance with the Detailed Urban Plan (purpose, type of roof, building, and regulatory line)

» According to the planning document, the planned purpose of the plot is tourism and catering. An apartment-business building was designed, with facilities intended for housing and business, which contains four floors with 12 accommodation units each (48 in total), including studio apartments, one-room and two-room apartments. The project indicates that it is a building intended for housing, not tourism.

- » The sales website of the company “Velimirović Invest” claims that it is not a tourist facility, calling this project the “Velimirović Building” with 48 apartments. More information: <https://www.facebook.com/vbinvest.me>
- » In the planning document, building 20a has two floors + ground floor and a flat roof, while the designed solution envisages a sloping roof with a dormer.
- » On the ground floor of the building, the columns that hold the canopy over the entrance extend into the sidewalk area, thus exceeding the given building line.

Non-compliance with the Regulation on Types, Minimum Technical Conditions, and Categorization of Hospitality Facilities

- » According to this Regulation, the designed facility belongs to the category of complementary catering facilities. According to Article 19 of the Regulations, a tourist apartment consists of a living room, one or more bedrooms, a kitchen, and a bathroom. The studio-apartment category does not comply with the Regulation, and it is impossible to design it within the intended purpose.
- » Article 53 of this Rulebook stipulates that the number of accommodation units in the attic of a hospitality facility may not exceed 10% of the total number of accommodation units in the facility. The designed solution contains 12 accommodation units in the attic out of 48 units in the whole building, which is 25% (well above the allowed 10%).
- » The main entrance to the building was designed without a windshield, with a reception located in the entrance hall of 26.98 m², together with the space in front of the elevator and the staircase, which does not meet the requirements of Article 51 of the Regulations, which refer to the minimum area of the room for receiving guests (reception and hall) in the restaurant. Also, the reception does not have a room for storing luggage. It also lacks seats in accordance with the facility’s capacity and a toilet for guests (for men and women), which must be separated from the entrance hall.
- » The facility does not have a planned service elevator, following the Regulation.
- » The project does not contain separate rooms or areas outside the hospitality facility to deliver goods and dispose of waste, which should be functionally independent of the rooms and areas intended for guests (Article 44).

Non-compliance with the Regulation on the detailed content and form of the planning document, land use criteria, elements of urban regulation, and unique graphic symbols

- » According to Article 98 of this Regulation, a floor represents a part of the building with a unique height level or with minor deviations in leveling that do not exceed half the floor height. Given that the designed floor height in the building is 3.06m, the maximum floor height can be 4.59m. However, the height of the attic floor in one part is about 9 meters, which is not in accordance with this Regulation. Moreover, above the attic, a flat concrete ceiling has been designed, creating an attic space that exceeds the number of floors compared to the planning document.

Sports and tourist annexes



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| Investor | STABLO LLC, Ul. Mediteranska br. 14, Budva, Crna Gora BEPLER & PARTNERS Ltd., Road Town, Tortola, P.O.Box 3540, BVI IRLANIA INVESTMENTS Ltd, Evagora Papachristoforou 18, Petoussis Bros Building, 3rd Floor, PC 3030, Limassol, Cyprus |
| Concept designer | Businessart d.o.o. Bulevar Džordža Vašingtona 102, stan A19 The Capital Plaza - 81000 Podgorica |
| Lead architect | Mladen Krekić, dott. Arch. License number UPI 107/7-1938/2 |
| Location: <ul style="list-style-type: none"> - urban plot: part UP3, subzone D3, zone D, DUP Kolašin Center - cadastral plot: cat. plot no. 279/1, 280/10, 280/1 and 280/14, KO Kolašin | |
| Planning document | DUP Kolašin Center, from 2008 |
| CSA/CCA approval, number and date | Consent of the Chief State Architect Mirko Žižić, no. 09-2122/3-2021 from 01.02.2022. |

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| Status (planned, approved, under construction, built) | The Kolašin Secretariat for Environmental Protection rejected the Environmental Impact Assessment Report twice due to the lack of existing and planned sewage infrastructure. Namely, there is no sewage infrastructure for these 14 buildings, and they would significantly burden the insufficient water supply network. Based on the fact that the Chief State Architect approved the conceptual solution, the Elaborate was forwarded to the Environmental Protection Agency. There is no information available about their decision. |
| Permitted gross built-up area (BRGP), based on the urban-technical conditions prescribed by the Detailed Urban Plan: | 68.239,30 m ² |
| Designed gross developed construction area (BRGP), based on the preliminary design: | 64.279,18 m ² |
| Is the project on the list of development projects in the field of tourism, within the economic citizenship program? | Ne |
| <p>Description of the project, based on the concept design</p> <p>Along the bank of the Tara River in Kolašin, an agglomeration with 14 sports-tourist annexes, 818 accommodation units, and 818 parking spaces is planned. Individual buildings are designed in the shape of the Cyrillic letter "P." They are placed along longitudinal pedestrian promenades, with their free parts of the corpus directed towards the riverbank, thus guiding transversal pedestrian flows. The annexes closest to the river, outside the embankment zone, are designed as stilt houses on pillars. In the rest of the complex, in the area behind the promenade on the embankment, the annexes are placed on a common platform raised to the embankment level.</p> <p>Location: https://goo.gl/maps/nRzW9EQ3kZ7NyUu86</p> | |
| <p>Number of Floors</p> <p>The permitted number of floors, based on the urban-technical conditions prescribed by the Detailed Urban Plan, is a total of 5 floors: lower ground floor+ground floor+2 floors+attic (Gl+G+2+At). The designed number of floors, based on the concept design, is a total of 5 floors: lower ground floor+ground floor+2 floors+attic (Gl+G+2+At). However, the projected number of floors exceeds the permitted one because the attic floor also contains a gallery with a sleeping area. The total height of the attic floor is greater than the permitted height according to the Regulation on the detailed content and form of the planning document, land use criteria, elements of urban regulation, and unique graphic symbols.</p> | |

Technical conditions for connection to the city water supply and sewage system, based on urban-technical conditions prescribed by the Detailed Urban Plan:

According to the urban and technical conditions, there is no possibility to connect the planned buildings to the existing water supply network, nor the existing city sewage system or rainwater drainage system.

Non-compliance with the Detailed Urban Plan (purpose, type of roof, building, and regulatory line)

» According to the planning document, the intended use for the plot is “business buildings.” Planning Zone D is the central zone of the city with administrative, business, and educational functions of the city. In subzone D3, retaining sports and tourist facilities is foreseen, as well as the construction of sports courts and new tourist annexes and villas. The conceptual design of sports-tourist annexes is not in accordance with this purpose, as it includes only contents intended for housing and business (shops), without introducing new primary catering facilities for which the annexes are built, and without new sports courts. The very name “annex” denotes a secondary, additional building - in this case, there are essentially no buildings or functions in relation to which these objects are secondary. Therefore, the sole purpose is housing and business, which contradicts the planning document.

Non-compliance with the Regulation on Types, Minimum Technical Conditions, and Categorization of Hospitality Facilities

- » According to Article 16 of the Regulation, an annex of primary catering facilities represents an independent architectural unit that can be connected to the main building, in which accommodation services are provided. In contrast, services of food and drink preparation and service, as well as other hospitality services, are provided in the main building. An annex can be part of a hotel, motel, or guesthouse. The designed conceptual solution contains 14 annexes without a primary catering facility - a hotel, motel, or guesthouse. Therefore, it cannot be considered as an annex.
- » The designed solution contains three types of apartments, namely: apartment type 1 (30-40 m²), apartment type 2 (40-50 m²), and apartment type 3 (50-80 m²). However, apartment type 1 does not meet the criteria for a tourist apartment from Article 19 of the Regulation, as a tourist apartment is a catering facility intended to provide accommodation services to tourists for a certain period, consisting of a living room, one or more bedrooms, a kitchen, and a bathroom. The designed apartment consists only of a combined room for living and sleeping, a kitchen, and a bathroom (which would possibly categorize it as a “studio” apartment). Moreover, this room is designed with a pull-out sofa rather than a hotel bed with a headboard, as per Paragraph 8, Article 15, of the Regulation referring to the equipment of a “studio” apartment. Therefore, everything indicates that it is actually a studio apartment intended for living.
- » The designed solution does not contain other facilities intended for tourism, such as rooms for receiving guests (reception and hall), rooms for storing luggage, seats for guests in accordance with the capacity of the facility, as well as guest toilets (for men and women) which must be separate from the entrance hall.

- » The building does not have planned service elevators, following the Regulation.
- » The project does not contain separate rooms or areas outside the hospitality facility to deliver goods and dispose of waste, which should be functionally independent of the rooms and areas intended for guests (Article 44).
- » The designed solution is not in accordance with Article 53 of this Regulation, which stipulates that the number of accommodation units in the attic of a hospitality facility must not exceed 10% of the total number of accommodation units in the facility.

Non-compliance with the Regulation on the detailed content and form of the planning document, land use criteria, elements of urban regulation, and unique graphic symbols

- » According to Article 98 of this Regulation, a floor represents a part of a building with a unique height level or with minor deviations in leveling that do not exceed half of the floor height. Given that the designed floor height in the building is 3.20m, the maximum floor height can be 4.80m. However, the height of the attic floor in some buildings (which already have two floors) is about 7-8 meters, which is not in accordance with this Regulation and must be considered as an additional floor. Moreover, above the attic floor, a gallery with a sleeping area is designed, which exceeds the number of floors compared to the planning document.

Other comments:

- » According to the urban-technical conditions, there is no possibility of connecting the planned buildings to the existing water supply network or to the existing municipal sewage or rainwater drainage system. The Detailed Urban Plan (DUP) did not address the construction of hydraulic infrastructure needed for the urban plots belonging to the D3 subzone. The existing water infrastructure located in the area belonging to the D3 subzone has limited capacity and serves to supply existing users. For the needs of this complex, new infrastructure must be built in agreement with the Kolašin Municipality. The construction of a sewage collector is planned, and the connection of the planned buildings can only be carried out once the collector is constructed and the conditions are met. Therefore, the buildings cannot be used until they are permanently connected to the city's water and sewage network.
- » The Detailed Urban Plan defines a limited number of parameters for this urban plot (purpose, number of floors, gross developed construction area, number of parking spaces) without a clearer development concept in terms of content, dimensions, and positions of buildings, construction lines, protection zones, and solutions to infrastructure problems. The proposed solution of exclusively residential and commercial buildings is contrary to even these broadly defined criteria and does not contribute to the city's development in any way. There aren't enough public facilities, and the purpose of sports and recreation is not sufficiently developed. The ground floor layout doesn't even foresee a single playground for children or dogs, and the small green spaces on-site cannot be enhanced and landscaped with trees due to the underground garage level extending under most of the complex. Moreover, the area along the Tara River is a highly sensitive area for the construction of this intensity, especially when it is solely for residential purposes.

Control Mechanisms in Spatial Planning and Construction: Their Purpose and Why They Fail

The examples presented in the previous chapters have illustrated a series of issues in spatial planning and building construction. In Kolašin, local planning documents anticipated construction that vastly exceeded the spatial and infrastructural capacities of the town 15 years ago. The privatization of crucial spatial resources has long-term undermined the public interest. Today, for new structures designed based on the 2008 plans, there isn't adequate public utility infrastructure, and the buildings themselves surpass the built conditions and parameters that are already too lenient. Where exactly do the roots of these problems lie, and could they have been overcome through the control mechanisms that the responsible authorities had at their disposal?

Let's start with planning. At the time the detailed urban plans, on which current constructions in Kolašin are based, were made, a law³¹ was in effect which mandated that decisions about local planning documents were made by local authorities, with the necessary consent of the competent Ministry. In this procedure, the local government would submit a draft

of the planning document to the Ministry for an opinion before conducting a public discussion and finalizing the procedure. This was to ensure that the Ministry ascertained that the draft of the planning document complied with the prescribed standards and norms, was in line with the planning document of broader territorial units, and was consistent with the law.³² Without the approval and final consent of the Ministry, adopting the planning document would not have been possible. Therefore, we must conclude that the local detailed urban plans from 15 years ago, which are still in force in Kolašin today, were deemed appropriate by state institutions at the time of their enactment, i.e., they complied with regulations, laws, and higher-order plans. In other words, the local plans that anticipated a massive increase in newly built areas in Kolašin were in line with the state's vision and were adopted by the local authorities after undergoing the legally mandated controls.

Based on these plans, construction is now underway in Kolašin. According to the Law on Spatial Planning and Construction from 2017, checking the compliance of projects for new buildings with the current plans is the responsibility of the Chief State Architect or the Chief City Architect.³³ The consent of the Chief State Architect should guarantee that the conceptual design of the building's architectural project is consistent with the basic urban parameters (construction index, occupancy index, number of floors, the height of the building, and its relation to the construction line). However, as we saw in the previous chapter, projects that have received this approval often do not comply with a series of limitations set by the urban parameters

31 *Law on Spatial Planning and Construction (2008)*

32 *Ibid*, Article 39

33 *Law on Spatial Planning and Construction (2017)*, Article 87

of the current plan. The most common oversights of the Chief State Architect in the assessment of conceptual solutions we analyzed, i.e., significant shortcomings despite which the Chief State Architect gave consent to the project, include the following:

- Non-fulfillment of basic technical assumptions for construction and exploitation of the building, such as the absence of technical conditions for connection to the city water supply and sewage;

- Non-compliance with the parameters of the planning document: free interpretation of the intended use of the building as defined by the plan; free interpretation of the specified number of floors by the plan;

- Non-compliance with the Regulation on types, minimal-technical conditions, and categorization of hospitality facilities for a 4-star hotel, especially regarding Article 53 ("The number of accommodation units in the attic of the hospitality facility must not exceed 10% of the total number of accommodation units in the facility.") and the minimum surface area of accommodation units and other spaces of the hospitality facility that define categorization;

- Non-compliance with the Regulation on the detailed content and form of the planning document, land use criteria, elements of urban regulation, and unique graphic symbols, regarding the heights of the floor under the roof, where designers build an additional attic floor under the roof slope, but omit it from the mandatory graphic documentation and calculation of the gross developed building area; Various other errors that the Chief State Architect should point out, for example: seeking consent for a conceptual solution for a building on a parcel for which

the investor does not possess property rights; a conceptual solution for a 4-star hotel in which there are no doors, the entrance area, and the windbreak of the main entrance for guests; violating the construction line by allowing parts of the building to cross that line.

We don't have an answer to why these oversights occurred in the procedure of the Chief State Architect. As indicated in the previous chapter, the role of the Chief State Architect has been performed by several experts over the past few years, and oversights are evident in the work of each of them. This raises questions about the adequacy of the control role of the Chief State Architect, as well as the resources (time, human, etc.) this office has available to perform this responsible task.

It should also be noted that the Chief State Architect can (in fact, should) demand better architectural solutions, but cannot correct a poor planning document on which they are based. At the heart of the problem, we again have plans. In the case of Kolašin, these are detailed urban plans created to enable the expansion of profitable construction and create spatial conditions for mass tourism. This goal was - and unfortunately still is - fully in line with state policies of economic and spatial development.

In other words, Kolašin is not an example of failure in implementing public urban development policies correctly - Kolašin is precisely an example of consistent implementation of these policies and their expected outcome.

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Conclusion

The research presented in this publication demonstrates how changes in urban space - which may appear sudden, haphazard, or even unplanned - actually arise from public policies that prioritize private economic gain at the expense of the public interest and balanced and fair spatial development.

This conclusion stems from a case study of Kolašin, within which we analyzed local and national public policies, planning documents, selected architectural projects, and the control mechanisms available to decision-makers. The analysis shows that the "construction boom" in Kolašin is neither a coincidence nor an anomaly but an expected (and, for privileged owners of building land and investment capital, welcome) result of public policies that encourage expansive construction regardless of long-term social, economic, and ecological consequences. At the core of these policies is privatization, which is both the primary instrument of the neoliberal economic order and its ultimate result: the privatization of public spaces, services, resources, and decision-making processes to enable the acquisition of private wealth for the privileged - and the shifting of private, individual blame for one's own economic hardship and political powerlessness onto all those who are not privileged and who do not particularly benefit from such spatial and economic "development."

The case of Kolašin, therefore, is a warning: if nothing changes in the way local and national public policies interpret and promote spatial development, the situation we now have in Kolašin (and, in a more advanced stage, in Budva) will continue to spread to the rest of Montenegro. Therefore, it is high time for serious work on designing and building different models of local spatial and resource management - models that would aim for just spatial and economic development and the creation and improvement of public and common goods.

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