

A FEASIBILITY STUDY FOR THE REDEVELOPMENT
OF SHADYBROOK ADDITION

by

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CHAPTER ONE

INTRODUCTION

A neighborhood is defined as the geographic area within which residents may all conveniently share common services and facilities, such as churches, health centers, theaters, schools, shopping centers, commercial recreation facilities, banks, and a large variety of homes and apartments from which its clientele can choose. Presently, this definition describes the make-up of most white communities throughout the United States.

What happens when blacks move into a white community? First of all, whites begin to move out of the community. Second, most of the private services move out of the community and the public services are poorly maintained. Third, landlords who own the homes and the apartments no longer maintain the property on a level which meets the city codes. Cities contribute their part by not enforcing codes and laws. One way of giving direction to community development is to see how citizens rate their community services and facilities. This will point up felt needs and problems, as well as indicate the strengths and satisfactions of the community. Basic to any community is the housing available there. Housing, both nationally and locally, is a complex subject beset with paradoxical situations.

Affluence in America is at an all time high, yet housing production is drastically reduced by national and local residential building permits. Nationally, one in every eight families cannot afford private market standard housing.¹ In Sedgwick County, one in every ten families lives in substandard housing.²

Housing is the single largest industry in the country, yet one of the most backward in terms of capitalization and amount of serial production. Housing is also the single largest family expenditure, yet many households are insufficiently prepared to cope with the complex operations involved in buying, owning, or even renting a housing unit. Those least able to pay for housing are widely denied full use of their limited resources by racial discrimination, by discriminatory loan and interest practices, and/or by tax policies.³ Immense housing needs have been met with extensive federal legislation but invariably are only partially funded. Housing programs have been developed to aid the poor, but they often became so distorted in their implementation that the poor-rich gap became widened. Much of the publically subsidized housing continues to be grudgingly allowed only if near-starvation construction budgets are allocated.

Middle income families have deplored the public subsidies to low income groups' housing while they have been recipients of over \$21 billion in Federal housing subsidies in the past twenty years.⁴

Utilizing events and trends of neighborhood development of recent decades, this report focuses upon a feasibility study for the redevelopment of Shadybrook Addition, located in Wichita, Kansas.

THE PROBLEM

The general problem of blight, substandard conditions and corollary social problems within the study area have not received adequate attention from the community of Wichita. Deterioration of residential areas has proceeded to such an extent that the community of Wichita is in need of immediate action. Community action, however,

should be predicated upon a full understanding of the facts. One of the major beneficial results that may be expected from the study is enhanced public understanding of the problems.

The report includes the delineation of the study area and boundaries, information on condition of structures both residential and non-residential, a study of the characteristics of families affected by poor housing, and analysis of the adequacy of community facilities and service and the cause of blight.

PURPOSE OF REPORT

It is the purpose of this study to determine the characteristics leading to the need for redevelopment of the Shadybrook Addition. The objectives are to arrest blight and deterioration and to provide better housing, with an eventual plan for home ownership.

METHODOLOGY

The methodology of this study involves primarily interviews with representatives from appropriate governmental and private agencies, Wichita State University Planning Department, Wichita-Sedgwick County Metropolitan Area Planning Department, Wichita Model Cities Department, and ten of the residents of the area.

REVIEW OF LITERATURE

President Lyndon B. Johnson in his message to Congress on March 2, 1965, called for the creation of a commission to study building codes,

housing codes, zoning, local and Federal tax policies and development standards. He said such a commission could provide knowledge that would be useful in dealing with slums, urban growth, sprawl and blight, and to insure decent and durable housing. Congress approved his request and appropriated the funds to carry it out.⁵

In the past thirty years following World War II, an ever increasing number of books, articles, papers and acts by the Congress have addressed themselves to the problem of housing and housing markets in the United States. Although there has been much written on the subject of housing, no one author can discuss all levels of the housing problem, why it is present, how to cope with it, which model to follow in correcting housing ills, and what measurable successes are possible with any one model. Each author can support his own research but his analysis of the problem and its probable solution will not necessarily hold true for other communities.

The housing problem may be reviewed from any number of perspectives. The National Commission on Urban Problems in 1968 viewed housing as both a product and a process. "It includes all of the immediate physical environment both within and outside of buildings in which families and households live, grow and decline."⁶ One may evaluate the national problems and methods of dealing with them, but that still would not provide the level of understanding the developer in the market must have.

Doris B. Holleb used the market approach in the country's housing problems in the sixties in order to develop an understanding of the future. "The general affluence of the sixties, coupled with improved communications has raised expectations and standards in housing

in the United States, intensifying a shortage of already large scale dimensions."⁷

In her judgement, this will continue at a faster rate in the 70's in all housing and related markets. The Department of Housing and Urban Development in 1970 sponsored the Urban Growth and New Community Development Act. The approach was a blanket cover to guide proper development in growing areas of the country.⁸

Joseph P. Fried in his book, Housing Crisis U.S.A.,⁹ takes a rather unique approach to the housing problem. He demonstrates the nation's failure by stating accurately, the record of unsuccessful programs. "Operation Breakthrough is a reminder of what the federal government is failing to do to achieve a breakthrough other than on paper."¹⁰ Fried contends that unless the national spirit is stimulated into correcting housing ills the nation of the future will wallow in the problems of the past.

Lowdon Wingo, Jr., an economist and geographer, evaluates the problem of housing as a function of the journey to work. In Transportation and Urban Land¹¹, Wingo points out that the housing market for any one group oscillates between the neighborhood where one has lived in the past and the developing tract down the street. He supports this by stating, "consideration of space has been confined to the determination of distance along a transportation net between a set of points, household location and employment sites."¹²

As stated, these diverse and relatively unrelated contributions to the literature on housing and the housing market bear little relation to the problems encountered in Wichita, Kansas. All of the literature serves as a guide through a series of bench marks, but since it does

not fit the specific situation, then new methods and approaches must be developed. As it pertains to this report, the review of the literature was directive. However, if an understanding of our housing market is desired then the cause and effect for specific communities must be undertaken.

Throughout this report, certain terms will be used which have very precise and specialized meaning. To assure that there will be no misunderstanding in the use of these terms, certain ones and their definitions are specified in the following "Definition of Terms".

DEFINITION OF TERMS

Plat: A map or chart of a city, town, section, or subdivision, indicating the location and boundaries of individual properties. Plats and platting are an important part of subdivision procedures.

A preliminary plat is presented to the planning authority with other supplementary data indicating the nature of the proposed subdivision. It is submitted only after preliminary conferences with the authority and exhibition of informal sketches showing contemplated traffic arteries, boundaries, streets, topographical information, transport lines, schools, churches, shopping centers, park and industrial locations. After this preliminary conference, "the feeler" for the official reaction, the authority calls a hearing on notice to the subdivider and nearby owners. It may, after the hearing, require changes and then give conditional approval. Thereafter the subdivider obtains his permits and puts in the land improvements.

The final plat conforms with the preliminary plat and is filed after completing the improvements, accompanied by certifications that the improvements have been satisfactorily completed and are recorded.

Dwelling: A structure designed or occupied as the living quarters of one or more households, usually equipped (in the more developed areas of the world) with cooking, bathing, toilet, and (where necessary) heating facilities.

A "dwelling unit" (d.u.) is a room or group of rooms providing complete living facilities for one household.

Code, housing: Local regulations setting out the minimum conditions under which dwellings are considered fit for human habitation and putting certain limits on their occupancy and use. Overcrowding, unsanitary conditions, vermin, inadequate heat, and structural hazards are the kind of deficiencies housing codes are designed to prevent or remedy.

Code enforcement: Local regulation of buildings and enforcement of building-and housing-code provisions, a principal tool of officialdom to assure neighborhood upkeep. A provision of the Federal Housing Act of 1965 established the authority for "programs of concentrated code enforcement" in deteriorating areas; the federal government will make grants to a city covering much of the costs of planning and effectuating such programs. These costs may include repair of streets and lights, tree planting, and similar improvements. Owners in the designated areas are eligible for rehabilitation grants as well as loans at below-market rates.

Code enforcement has been a bane as well as a blessing. In periods of housing famine it is apt to increase hardship by inviting closing of buildings, thereby reducing the available housing supply. Nor does

it ease overcrowding, and when there is a dearth of housing it will intensify it. Yet, judiciously employed, it is a means of securing safety and health and an important device for preserving the housing inventory against neglect and erosion.

Condominium: A type of multi-family dwelling or row-house project in which each dwelling unit is owned (and financed) by the occupant but in which the halls, entrance ways, and underlying land are owned jointly. It is different from a cooperative, in which residents own an undivided share in the whole. When an individual owns his own unit and pays for it he is not affected by the defaults of other occupants, as he would be in a cooperative subject to a mortgage covering all the dwelling units. The word is derived from the Latin *dominium*, to have control over jointly with (*con*) one or more other persons.

Blight: A metaphor from the plant world used to describe that concentration of forces which puts a building or a neighborhood on its way to becoming a slum. A blighted area is one that has deteriorated or has been arrested in its development by physical, economic, or social forces. Overhead subway lines and heavy industries are said, for example, to be blighting influences on residential neighborhoods, as are physical dilapidation and conversion to transient residences. But clear causal relationships between factor and condition have yet to be established.

Statutes generally require that an area be blighted before it is eligible for urban renewal, but what constitutes blight is open to interpretation. The requirement has been liberally construed in many jurisdictions, and the courts usually have been loath to second-guess the agencies. The lines between a viable section, a blighted area, and a slum are fuzzy ones, and they are usually to be found where the public authority chooses to draw them.¹³

CHAPTER II

HISTORY OF DEVELOPMENT - LAND USE CHANGES AND SOCIAL CONDITIONS

DESIGNATION AND DELINEATION OF THE STUDY

The Shadybrook area is a residential area which is located in the northeast section of Wichita and which covers an area of approximately 80 acres. The boundaries are Hillside, Grove, 21st street and 19th street. The addition lies adjacent to Wichita State University which is immediately east of the area. (See Map # 1).

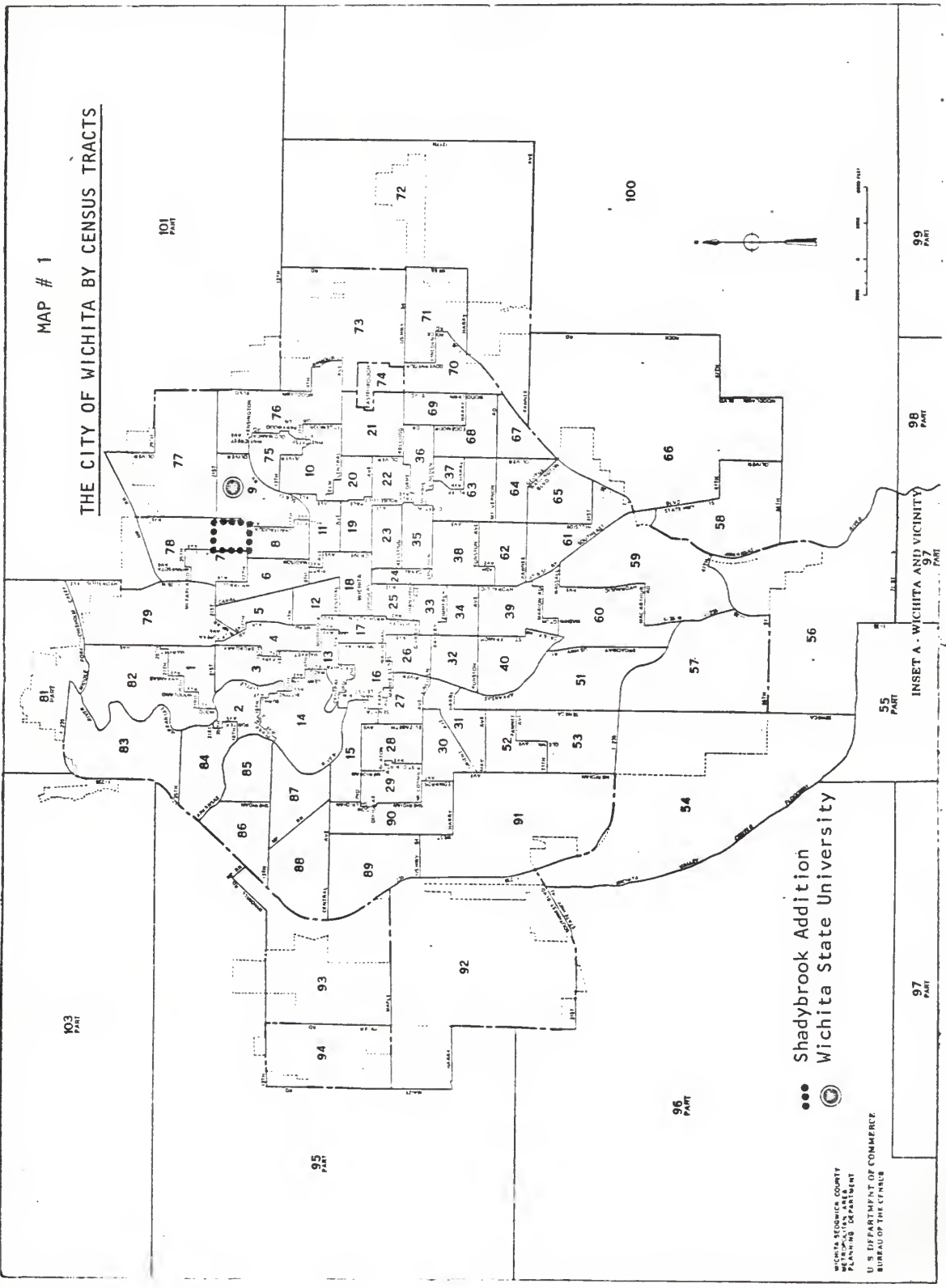
The oldest part of the Shadybrook addition lies between Hillside and Chautauqua and was annexed by the City of Wichita between 1910 and 1919. The remaining portion, from Chautauqua to Grove, was annexed between 1940 and 1941 (probably 1941, since the plat was recorded as an addition to the city in that year.)

During the year 1943, the Shadybrook addition was supplied with sanitary sewers, electric, telephone and gas utilities.

In 1957, the southwest corner of 21st street north and Hillside, and the southeast corner of Grove and 21st street north were changed to the 'LC' (light commercial) district from what was probably a 'RB' (four family dwelling) district prior to 1957. No record of that change is available since the Metropolitan Area Planning Commission was formed in 1958, and the maps and files date from that year only. On October

MAP # 1

THE CITY OF WICHITA BY CENSUS TRACTS



103 PART

101 PART

100

99 PART

98 PART

INSET A - WICHITA AND VICINITY

97 PART

55 PART

●●● Shadybrook Addition
● Wichita State University

WICHITA REGIONAL COUNTY
PLANNING COMMISSION
U.S. DEPARTMENT OF COMMERCE
BUREAU OF THE CENSUS

96 PART

95 PART

97 PART

97 PART

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22, 1963, the Board of City Commissioners approved a zone change from the 'A' (two family dwelling) district, to the 'LC' (light commercial) district (Z-0498). On March 25, 1969, the Board of City Commissioners approved a zone change from the 'RB' (four family dwelling) district, to the 'LC' (light commercial) district (Z-1073). (Note that both Z-0498 and Z-1073 adjoin existing 'LC' districts.) The applicant requested a zone change from 'AA' (one family dwelling) district, to the 'BB' (office) district (as amended). On December 14, 1971, the Board of City Commissioners referred case Z-1319 back to the M.A.C.P. for consideration of the Zoning Advisory Committee's recommendation on the 'U' (university) district. (See Map # 2).

CHANGES AFTER DEVELOPMENT

Racial Composition Change

Since the development of the Shadybrook Addition there has been a significant change in the overall racial composition. In 1950, there was one non-white occupant in the Addition. However, in 1960, there were 247 non-white occupants. This shows an increase of 246 non-white occupants in one decade. In 1970, 97.5% of the occupants were non-white. (See Table I)

Density Change

The density has changed very little since the development of the Shadybrook Addition. The zoning has remained residential except for

TABLE I

RACIAL COMPOSITION CHANGE*

BLOCK NUMBER			OCCUPIED BY NON-WHITE		
1950	1960	1970	1950	1960	1970
14	38	209	0	0	38%
36	39	210	0	1	91%
37	40	211	0	8	99%
38	41	212	0	21	85%
39	66	301	0	6	81%
40	65	304	0	18	91%
41	54	305	0	11	94%
42	63	308	0	31	99.5%
43	62	309	0	19	100%
44	60	310	0	22	94%
45	59	407	0	7	100%
46	58	406	0	30	100%
33	42	405	0	17	98%
34	33	404	0	11	96%
35	34	408	0	28	99%
16	35	204	1	13	98%
15	36	205	0	4	97.5%
	37	206	1	247	
		207			
		208			

* In 1950 and 1960, data show the number of dwelling units occupied by non-white owners or renters. In 1970, this information is expressed as the percent of the population (by block). Although the 1970 data is not compatible with the data from 1950 and 1960, it is included to indicate the extent of change in the racial composition of the area from 1950 to 1970.

these changes noted earlier. In the time period from 1950 to 1960, there was an increase of 61 units. (See Table II.) This change came about because the census block was extended to 18th Street. In 1970, it was divided and renumbered as Block 308 and Block 309. For comparability of data, the data from Block 308 has been added to that from Block 309, even though Block 308 is not within the boundaries of the Shadybrook Addition.

The information below concerns the population density by age group, racial composition and the overall population trends for Census Tract 7 which includes the Shadybrook Addition.

There are 3,209 females and 2,840 males in Census Tract 7. The breakdown by age group is as follows:*

<u>Age Group</u>	<u>Male</u>	<u>Female</u>
5-14	347	401
15-24	1,165	1,170
25-34	597	641
35-44	270	386
45-54	227	289
55-59	992	114
60 or more	150	232

In the Shadybrook Addition, as noted earlier, 97.5% of the population is black, and 2.5% is not black.

The number of persons under 18 years of age is 660 or 58.6%, and the number of persons 65 years or older is 62 persons or 5.5% of the total population for the Addition. Though the information is two years old, it is still accurate.

* *This data was obtained from the Census of Population and Housing, 1970.*

TABLE II

DENSITY CHANGE*

BLOCK NUMBER			OCCUPIED BY NON-WHITE		
1950	1960	1970	1950	1960	1970
14	38	209	35	23	37
36	39	210	21	30	22
37	40	211	37	32	36
38	41	212	43	45	46
39	66	301	24	20	28
40	65	304	15	33	47
41	54	305	9	32	34
42	63	308	28	51	39
43	62	309	28	30	28
44	60	310	30	28	28
45	59	407	10	10	10
46	58	406	33	32	31
33	42	405	26	26	25
34	33	404	26	33	30
35	34	408	63	61	55
16	35	204	62	55	51
15	36	205	<u>33</u>	<u>43</u>	<u>40</u>
	37	206	523	584	587
		207			
		208			

* In 1960 and again in 1970 part of each of these blocks became a separate census block to show the presence of the park. In 1970, part of this block was included in the park. In 1950 and 1960, these two blocks were considered as one block.

Structure Change

The condition of the Shadybrook Addition has been generally good over the past two decades. In 1950, there were 12 structural units that were lacking some or all plumbing and/or in which facilities were dilapidated. These categories were combined for the purpose of this study. (See Table III.)

In 1960, structural conditions were divided into three categories: standard, deteriorating and dilapidated. There were no structures lacking some or all plumbing and/or dilapidated.

In 1970, there were 5 units in the Shadybrook Addition lacking some or all plumbing facilities. The data from 1950, 1960, and 1970 is not strictly comparable and are therefore included only as indicators.

Public School Changes

As the Shadybrook area developed, public schools were established to serve the area along with other nearby areas. Isley Elementary School and Mathewson Junior High School were the schools accomodating the Shadybrook children.

As the racial character of the Shadybrook Addition changed to virtually all black occupancy, the school enrollment also changed. The schools became essentially segregated schools serving only black students.

In 1968, the federal government insisted on the development of de-segregation plans in the city. As a result, Isley Elementary School was closed as a regular elementary school and was reopened for special-ized education of intermediate grade students. Mathewson Junior High

TABLE III

STRUCTURE CHANGE*

BLOCK NUMBER			LACKING SOME OR ALL PLUMBING AND/OR DILAPIDATED		
1950	1960	1970	1950	1960	1970
14	38	209	0	0	0
36	39	210	0	0	0
37	40	211	0	0	2
38	41	212	0	0	0
39	66	301	3	0	0
40	65	304	3	0	0
41	54	305	3	0	0
42	63	308	0	0	0
43	62	309	0	0	0
44	60	310	1	0	0
45	59	407	0	0	1
46	58	406	0	0	0
33	42	405	0	0	0
34	33	404	2	0	2
35	34	408	1	0	0
16	35	204	0	0	0
15	36	206	<u>0</u>	<u>0</u>	<u>0</u>
	37	207	12	0	5
		208			

* Data Source: 1970 Census of Housing Blocks Statistics, Wichita, Kansas Urbanized Area, Issued Oct., 1971.

School has also been closed as a regular junior high school. It is now being used as an education center for Wichita State University.

With the closure of these two schools, the Shadybrook Addition is not served specifically by neighborhood schools. Rather, the students are bussed to schools throughout the city in accordance with the federally approved integration plans.

Education Levels

Tables IV, V, and VI which follow, present data regarding levels of education in the subject area. Table IV indicates current enrollment in school for persons three years old and older. Table V shows the number of persons 18-24 who have completed four or more years of college. Table VI shows education accomplishment for all persons 25 years old or older.

CURRENT CONDITIONS

The Shadybrook Addition shares the problems of other middle-age communities, such as yards that are too small, business districts that are insufficiently arranged, and parks and schools that are inadequate with respect to the community's needs.

While the problems of this community can be documented at any time, it is necessary to realize that conditions are getting worse as the population is expanding. Furthermore, this neighborhood is now blighted and will become worse unless proper action is taken to halt the constantly rising trend.

TABLE IV

PERSONS 3 YEARS OLD AND OLDER ENROLLED
IN SCHOOL BY LEVEL AND TYPE OF SCHOOL*

	<u>TOTAL</u>	<u>BLACK</u>	<u>WHITE AND OTHER</u>
Persons 3-34 Years			
Nursery school			
Public	3	3	0
Parochial	0	0	0
Private	7	6	1
Kindergarten			
Public	21	19	2
Parochial	1	1	0
Private	0	0	0
Elementary			
Public	202	186	16
Parochial	3	3	0
Private	9	8	1
High School			
Public	97	89	8
Parochial	3	3	0
Private	0	0	0
College			
Public	34	31	3
Private	<u>11</u>	<u>10</u>	<u>1</u>
Total	397	365	32

*Data Source: U.S. Bureau of the Census, 1970 Census of the Population, Block Statistics for Wichita, Kansas.

TABLE V

PERSONS 18-24 YEARS OLD BY
COMPLETION OF HIGH SCHOOL AND COLLEGE*

	<u>TOTAL</u>	<u>BLACK</u>	<u>WHITE AND OTHER</u>
Completed 4 years of high school or more	96	88	8
Completed 4 years of college or more	4	4	0

**Data Source: U.S. Bureau of the Census, 1970 Census of
Population, Block Statistics for Wichita, Kansas.*

TABLE VI

PERSONS 25 YEARS OLD AND OLDER BY
YEARS OF SCHOOL COMPLETED AND RACE

	<u>TOTAL</u>	<u>BLACK</u>	<u>WHITE AND OTHER</u>
No school years completed	3	3	3
Elementary			
1-4 years	11	10	1
5-6 years	26	24	2
7 years	25	23	2
8 years	34	31	3
High School			
1-3 years	119	110	9
4 years	154	142	12
College			
1-3 years	48	44	4
4 years	15	14	1
5 years or more	16	15	1

**Data Source: U.S. Bureau of the Census, 1970 Census of
Population, Block Statistics for Wichita, Kansas.*

Physical Characteristics

The physical aspects of the Shadybrook Addition are poor. The area suffers from broken windows, the flooding of basements, junk cars in the yards, and generally poor upkeep of the property.

Due to the continuing development on the Wichita State University campus, the water runoff rate in this area has significantly increased. Much of the Shadybrook area to the west has experienced severe flooding during periods of even moderate rainstorms because of this increased runoff. The specifications and engineering details have been completed for the drainage and storm sewer improvement project and the construction is pending the availability of additional federal funds through Urban Renewal. The result will be controlled drainage of the area.

The main arterial streets of the Shadybrook Addition, 21st street and Hillside, are in very good condition. The local streets in the area are in good to poor condition.

Economic Condition

The following is a summary of economic conditions and the employment and unemployment conditions in the Shadybrook Addition and Census Tract 7.

Between 1964 and 1968, Wichita enjoyed its lowest rate of unemployment, below 4%. In 1969, due to Federal cutback in airplane procurements, the unemployment rate in Wichita rose to new heights. Only in recent months has the percentage dropped below the national average.

As of November, 1972, the percentage was down to 3.9%. Out of a total labor force of 171,150, there are 6,650 who are unemployed.

In Census Tract 7, the total employed and unemployed labor force in 1972 was 1,709 employed and 87 unemployed. The unemployment percent for Tract 7 is 7.5% for blacks and 7.9% for non-blacks.

Specific information on the Shadybrook Addition is included in Table VII, Income and Employment.

TABLE VII

Persons 14 years old and over: Income by race and type of income

	<u>Total</u>	<u>Black</u>	<u>White & Other</u>
Wage and Salary	488	413	35
Non-farm Self-employed	17	16	1
Social Security or Railroad Retirement	57	52	5
Public Assistance or Welfare Payments	63	58	5
All other income	81	75	6

Persons 16 years old and over: Labor force status and race

In labor force	402	371	31
Employed	372	343	29
Unemployed	30	28	2
Not in labor force	236	218	18
Unemployment Rate	7.5%	7.5%	7.9%

Twenty-first Street has been nearly strip zoned out at the present time, particularly along the north side, and it is expected that the south side will soon follow. There is a movement to stop the strip zoning of commercial. However, there are some spot uses in the area which will make holding the line difficult.

The attitude, basically, seems to be that the City of Wichita is generally not concerned about what happens to the Shadybrook area. Its concern for the area ceases at the point where it would be necessary for the City to enact legislation and prohibitive statutes concerning strip zoning and other detriments in the area, in order to preserve it. The City obviously would prefer that the area remain stable as a residential one, but if it happens "to go into a downhill plunge over the next 10 to 20 years," it would be viewed as unfortunate but inevitable. In other words, the City of Wichita is concerned, but not to the point where it will actually do something to benefit the area positively and prevent deterioration.

The University's Attitude Toward the Area

According to Mr. Jack Burnett, Assistant Director of Planning at Wichita State University, the University has a commitment to maintain a residential area around the campus. Several light commercial zoning requests have been opposed. The current long-range plans do not anticipate the expansion of the University into the Shadybrook Addition, and the University would like to see quality housing around the campus for residents, students and faculty members.

The Oblinger-Smith Corporation is preparing long-range planning studies for the University. At this time, however, their report has not

been accepted by the University or by the Board of Regents, and therefore, none of the findings can be released for public consumption.

RECOMMENDATION FOR REDEVELOPMENT

Future Land Use

In establishing recommendations for the future land use of the Shadybrook Addition, it is presumed that the area will remain essentially residential. The area from Grove to Hillside, on the south side of 21st Street running east and west, should be zoned light commercial. At the present time, the corners of 21st Street and Grove and 21st Street and Hillside are zoned light commercial, leaving the areas in between these two points currently zoned residential. Twenty-first Street is a major thoroughfare and has four-lane traffic. There are duplexes and fourplexes currently facing 21st Street. With the continued growth of Wichita State University, the existing commercial districts located on 21st Street, and with the proposed shopping mall which is to be located adjacent to the Shadybrook Addition, it would appear to be unwise to continue to have residential areas on 21st Street. It is therefore recommended that the Metropolitan Area Planning Commission look into the possibility of recommending rezoning of the south side of 21st Street from Grove to Hillside to 'LC' (light commercial) classification.

Change in design

Due to the high cost of construction it is felt at the present time that the design of the dwellings in the Shadybrook Addition would have to remain the same. In talking with private developing firms, however, the belief is expressed that if they were to go into the Shadybrook Addition area, in all probability it would be necessary to tear down all of the existing structures and replace them with those types of developments which would probably displace the people currently in the community, due to the high cost of new construction.

Improvement of Structure

The overall appearance of the structures in the Shadybrook Addition is good. Since the Addition was developed in the late 1940's and early 1950's, only 20 years have elapsed. Considering the fact that most developers build structures to last fifty years, the Shadybrook Addition is generally sound. But, in some instances there is a definite need for the improvement of some of the structures. Many have broken windows, need painting, lawn care, etc. All of these improvements could vastly aid the appearance of the area.

Improvement of Infrastructure

It was difficult to see many of the individual units, but some of those evaluated showed the need for major improvements. There existed large holes in the walls which needed to be patched,

floor boards in need of replacement in some instances, etc. In other units minor improvements were needed in the form of cabinet replacement, painting individual rooms, and replacing bathroom fixtures.

FEDERAL HOUSING ASSISTANCE PROGRAMS

The purpose of this section of the report is to present a summary of the major programs currently available through various agencies of the Federal Government that are concerned with providing housing for low and moderate income families.

Hopefully, these programs would change the environment and housing condition of the Shadybrook Addition residents.

The following programs are discussed in this section:

1. F.H.A. Low Income Housing Demonstration.
2. Rehabilitation Grant, Section 115.
3. Rehabilitation Loans, Section 312.
4. F.H.A. Rent Supplement Program
5. Code Enforcement.

The material presented is as obtained from the following sources:

- a. For programs noted in 1 through 4 above, the source was the U.S. Department of Housing and Urban Development (H.U.D.).
- b. For the program noted as 5, the sources were:
 - i. Kansas Statutes Annotated
 - ii. City of Wichita Code Enforcement Officials
 - iii. U.S. Department of Housing and Urban Development.

F.H.A. LOW INCOME HOUSING DEMONSTRATION PROGRAM

The Low Income Housing Demonstration Program was authorized by the Housing Act of 1961 to be used by public or private agencies in the development of new or improved techniques of providing housing for low income families. Project demonstrations are expected to serve three basic purposes: To provide low income housing; to provide the use of a new or improved technique; and to establish a pattern for low income housing which could be used in other communities. Grant funds may cover the entire cost of conducting the demonstration.

Since the program began, there has been a wide range of experiments which can be generally classified into efforts aimed at:

1. Lowering the cost of new construction, such as providing structures free of building code restrictions, but to acceptable performance standards; the development of a system of prefabricated sections for multi-level assembly; or exploring the use of roof shapes as well as a combination of materials to control heating and cooling rather than depend upon mechanical methods.

2. Utilization of existing housing supply. These demonstrations have been based primarily on a rent supplement or a low interest loan provided by either a local public or private agency.

3. Facilitating home ownership for low income families. Many families are limited in purchasing their homes because of stringent credit requirements; and, lending institutions generally have not made loans available to low income families. Several demonstrations have proved that home ownership may be feasible for a much larger segment of the market than was formerly believed. For example, a combined lease-purchase arrangement allows a family to make their down payment on a new home after building up equity through several years of leasing by

having a certain amount of the lease payment applied toward equity in the home. The cost cutting potential is another possibility. Families could assist in constructing their own homes, or a contractor could provide a partially complete home which could be finished by the home owner.

A city can benefit by becoming aware of the various techniques and approaches which have been utilized under this program to date. They may also develop an imaginative program of their own which would assist in providing housing for low-income families and could apply to F.H.A. for a grant to demonstrate the program.

REHABILITATION GRANTS (Section 115)

Grants up to \$1,500 may be made to qualified, low income occupants of housing in urban renewal projects and Section 117 Code Enforcement Projects.

To be eligible for a Section 115 grant, the applicant must be a low-income family which owns and occupies residential property, who will use the grant to cover the cost of repairs and improvements necessary to make the structure conform to housing code standards or the requirements of the renewal plan. For applicants whose income is less than \$3,000 per year, the grant may not exceed the lesser of: (1) the actual cost of the repairs, or (2) \$1,500.

For applicants whose income exceeds \$3,000 per year, the grant may be in an amount not to exceed the lesser of: (1) the actual and approved cost of the repairs, (2) \$1,500, and (3) an amount not to exceed that portion of the repairs which cannot be paid for with any available loan that can be amortized as part of the applicant's gross monthly housing

expense without requiring that expense to exceed 25 per cent of the applicant's monthly income.

In obtaining a Section 115 grant, the local Public Agency (L.P.A.) will perform the following functions:

1. Interviewing and counseling property owners.
2. Preparing a report of work needed to bring the property up to required standards.
3. Developing an estimate of the cost of the work to be done.
4. Verifying income and monthly housing expense of the applicant.

In reviewing the applications for a Section 115 Grant, the L.P.A. shall determine whether the grant is adequate to cover the cost of required rehabilitation. A Section 312 Loan is to be used to supplement the grant if determined necessary.

After making a Section 115 grant, the L.P.A. is responsible for:

1. Insuring that the award is made to a contractor or subcontractor who is protected by adequate insurance and workmen's compensation, and who abides by H.U.D. regulations pertaining to equal opportunity in employment.
2. Inspecting the completed rehabilitation work.
3. Maintaining a separate file for the rehabilitation grant and placing therein and, upon completion of the rehabilitation work, a certification that all work has been satisfactorily completed.
4. Obtaining, in all instances prior to making a final payment of the grant, necessary warranties, release of lien forms, and any other instruments which are applicable.

Some special features of the Section 115 and Section 312 programs that serve to protect the best interests of both the owners and the L.P.A. are the following:

1. Rehabilitation loan and grant programs are financed directly by the federal government, through the Urban Renewal Division of the Department of Housing and Urban Development. They are administered locally through a body of the city, usually the L.P.A.

2. Inspections to determine work that must be done are made by the L.P.A. or any other city department. Inspectors have identification cards and owners should ask to see these cards before permitting anyone to inspect their property and before signing any papers. This prevents the "fast buck" operations from taking advantage of the owners.

3. The owner does not sign a contract with the contractor to do the work until after the loan and/or grant application has been approved. The L.P.A. is present when the contract is signed. The contractor is selected following the obtaining of competitive bids, in accordance with federal regulations, from contractors the L.P.A. has screened and believes to be reliable and will be awarded to the lowest acceptable bidder. This should keep out the unethical operator and should serve to prevent paying more than the work is worth.

4. The L.P.A. and, in some cases, F.H.A., inspect the rehabilitation work one or more times during the construction period. This is not always the case when the owner deals directly with the contractor.

5. The L.P.A. handles loan and grant disbursements and does not pay the contractor until its inspector certifies that the work has been completed in accordance with the contract and that the property

now meets the applicable code or project standards.

These basic requirements serve to provide more protection for the owner than would typically be found when he deals directly with a contractor. It also eliminates the possibility that the owner will sign a contract to do certain work, have it done, and then find out when the city inspector arrives, that the work still does not bring the property up to the required standards and that additional work must be done.

This program was also authorized by the Housing Act of 1964 and to date few grants have been made. Again, the administrative procedures are extensive. It is administered by the U.S. Department of Housing and Urban Development.

SECTION 312: REHABILITATION LOANS

Direct loans from the Department of Housing and Urban Development for rehabilitation purposes are available to owners of properties in Urban Renewal Project Areas and in Section 117, Code Enforcement Areas. These loans carry a 3 per cent interest rate and may be for up to 20 years or three fourths of the remaining economic life of the structure, whichever is less. The maximum amount of the loan is \$10,000. In order to be eligible for a loan, the applicant must evidence capacity to repay the loan and be unable to secure comparable terms or conditions. The loan can be for rehabilitation only or could cover rehabilitation activities and refinancing of the present loan if within the \$10,000 limit, and if repayments on the total debt would result in monthly payments for principal and interest exceeding 20 per cent of the applicant's monthly income.

The loans may be used on either residential or commercial

properties and may be secured by either a first or second mortgage. Loans under \$3,500 may not require a mortgage.

The work to be performed under the Section 312 Rehabilitation Loans includes that needed to bring the property up to a minimum code or property rehabilitation standards, and may also include other improvements that will increase the livability of the property.

Processing of the loan application is provided by staff members of the Local Public Agency. These services are eligible renewal project expenditures and would include the following:

1. Interviewing and counseling property owners;
2. Preparing the report of work required;
3. Obtaining credit report and exhibits;
4. Obtaining bids from contractors;
5. Obtaining an "as-is" appraisal on the property;
6. Verification of ownership or title report; and
7. Preparation of the loan application.

The local Public Agency may determine that the applicant is eligible for a Section 115 Rehabilitation Grant and, as such, might suggest that the applicant apply for a grant as well as, if appropriate, a Section 312 loan.

After the loan application "package" is completed, it is forwarded to the Rehabilitation Loan Section in the regional Housing and Urban Development office.

Once received, the H.U.D. area rehabilitation loan specialists process the application, routes it to F.H.A. for review in certain instances and, if approved, returns a commitment to proceed.

The local Public Agency then:

1. Assists the owner in letting the contract;
2. Conducts inspections during the construction period;
3. Orders the loan check from H.U.D.;
4. Sets up and conducts the closing of the loan and disbursement of the funds; and
5. Returns the completed papers to H.U.D.

The Department of Housing and Urban Development, through the Federal National Mortgage Association, then turns the loan servicing activities (monthly payment collecting, etc.) over to a local lending institution to which property owners will make their payments.

F.H.A. RENT SUPPLEMENT PROGRAM

The Department of Housing and Urban Development will make direct payments to private housing owners that are either non-profit, cooperative, or limited dividend organizations. These payments represent the difference between the market rental value of the property and 25 per cent of the tenant's income. The program was established in 1965 and is to extend over a four-year period-with contracts for "annual payments" for qualified families.

The new housing would be built by non-profit, cooperative, or limited dividend sponsors under F.H.A.'s low-cost housing program (Section 221) at regular market interest rates. It would be subject to F.H.A.'s requirements in this program which assure that the housing is modest in cost.

Only those families and individuals whose incomes are below the maximum that can be established for occupancy in public housing and who, in addition, are elderly, handicapped, displaced from their homes

by governmental action, living in slums, and victims of natural disasters, are eligible for rent supplements.

Eligible tenants would pay 25 per cent of their income toward the fair market rents established by F.H.A. The rent supplement would pay any difference in the rental above that percentage. As family income rises, the supplement would be reduced and, when the family could pay the full rent, it could continue to live in the same unit without a supplement. If the housing is detached or semi-detached, the family could also have an opportunity to buy it when its income permitted.

The bill authorizes up to 10 per cent of the rent supplement grants to be used for rent supplements on housing provided under F.H.A.'s below-market interest rate program, F.H.A.'s housing for the elderly program (Section 231), and the direct loan program for housing for the elderly or handicapped (Section 202). Half of that amount will be available for new projects under the F.H.A. below-market program with the remaining amounts available for new F.H.A. elderly projects and new and existing elderly projects under the direct loan program.

The H.U.D. Administrator's office will direct the program. The H.U.D. office will establish criteria for determining the eligibility of occupants and rental charges; they will evaluate the tenant income statements and issue certificate of eligibility for rent payments; they will either enter into agreements with, or authorize housing owners to enter into agreements with either public or private agencies "for services required in the selection of qualified tenants". Further, H.U.D. may delegate to any such public or private agency authority to issue certificates of eligibility.

The major feature of the Rent Supplement Program is that it

is available to families within the same income range served by the Public Housing Program.

While this program was authorized by the Housing and Urban Development Act of 1965, and is administered by H.U.D., funds were held by Congress and not appropriated until the fall of 1966.

Because of the recent fund authorization, an evaluation of the success of this program is not available. Its major feature, however, that of providing low-cost housing through private sponsorship, appears meaningful.

CODE ENFORCEMENT

Significant improvement may be made in many of Wichita's residential neighborhoods by systematic and consistent enforcement of a standard housing ordinance.

The 1965 Federal Housing Act provided for "Code Enforcement Projects". These would enable the city to obtain financial assistance in providing for a program of code enforcement within a neighborhood. At the same time certain needed public improvements can be made in the neighborhood, such as streets, parks, or sidewalks with the Federal Grant paying for part of the cost of these. Code enforcement projects are quite similar to rehabilitation type urban renewal projects except that in the code enforcement projects, no private lands are purchased for resale. In certain areas in Wichita, such projects would be an appropriate method of bringing about neighborhood improvement.

In neighborhoods in the city where blight is just starting to make its appearance, the city should undertake concentrated code enforcement. This should always be undertaken with the understanding

and approval of the neighborhood area. Simply expressed, it is a thorough inspection of every building in the neighborhood and a simultaneous joint effort at bringing all of them up to standard.

In other portions of the city, buildings should be inspected at least every second year. The housing code should not be merely enforced "on complaint". Code enforcement should also take place in areas marked for eventual urban renewal treatment.

1. At the time of the approval of its application, the municipality must have a Workable Program for Community Improvement currently in effect and must have adopted a comprehensive system of codes that meets certain minimum standards and is being effectively enforced.
2. The municipality must agree that, during the period it is under a Contract for Code Enforcement Grant, it will maintain a level of expenditures for code enforcement, exclusive of any code enforcement expenditures for areas assisted by urban renewal project grants or code enforcement grants, that is at least as much as normal expenditures for code enforcement activities before execution of the contract.
3. The municipality must have a satisfactory program for providing all necessary public improvements within the area assisted by the grant.
4. The municipality has an obligation to assure that any individuals or families who are displaced by the code enforcement activities are offered decent, safe, and sanitary housing within their means, and to provide related relocation assistance.¹⁴

The area selected for the Concentrated Code Enforcement Program must be built up, predominantly residential in character, and with code violations existing in at least 20 per cent of the buildings in the area. Conditions in the area must be such that the proposed program for concentrated code enforcement and the provision of the proposed public improvements may be expected to eliminate code violations and arrest the decline of the area.

The summary of the various programs is intended to present the general purpose of the program, the amount and condition of the loans and/or grants available, and the eligibility for sponsorship of the various programs. As the policies and procedures of the federal agencies administering the various programs are subject to change, it is suggested that sponsors contact the appropriate agencies when the decision has been made to undertake one of the programs. Further, the availability of funds should also be determined before proceeding with the programs.

CITIZEN INTEREST PROGRAMS

A major impact on the problems of blight would result from encouraging greater citizen interest in his home and neighborhood. A number of programs should be undertaken in Wichita including the following:

1. Each of the neighborhoods should have a citizen organization concerned with neighborhood improvements. These organizations are found in many cities and can be highly effective in expressing neighborhood opinion to public agencies and in securing enforcement of ordinances and other neighborhood improvements. The City Planning Commission should have a person on its staff whose responsibility it is to work with such organizations and to promote the formation of them in neighborhoods where they do not exist.
2. Overall Civic Organization. The various neighborhood

organizations and the other community organizations interested in the improvement of the city should form a city-wide organization for civic improvement. This could be called "A General Council for Civic Needs" or a similar title. Such an organization should be large enough to have a small paid staff.

3. Clean-Up - Paint-Up Campaigns. Annual clean-up - paint-up campaigns can be much more effective when there are general civic as well as neighborhood organizations to cooperate with them.
4. Annual Contests. Annual contests for lawns, gardens and home improvements can be very effective in stimulating citizen interest as well as the improvements themselves.

Although mentioned in previous planning studies, it is well to emphasize the need for general municipal programs for neighborhood improvement. These include enforcement of building codes and zoning regulations, subdivision control, efficient collection of garbage and trash, a street tree planting program, a program for systematically placing pole and wire lines underground in residential sections, and, finally, careful control of outdoor advertising. While these are classified as "conservation" activities, they are applicable to all parts of the city.

CONCLUSION

This feasibility study was pursued as a plan of redevelopment of the Shadybrook Addition. The main goal of this project was to suggest ways to arrest blight and deterioration and to provide better housing and neighborhood conditions for the residents of Shadybrook. The eventual plan was for home ownership of the residents and to make the area a community in which the Wichita residents can take pride.

As this project was pursued, the main problem encountered was getting a feasible program implemented or selling the idea. This plan was presented to a private consultant who turned it down because he could not see this as a profitable venture. Since this plan was designed to accomodate residents in the area, the private consultant felt that the entire area would have to be cleared and new structures added. This would increase the rent and house payments of the residents causing many of them to be displaced; thus defeating the purpose of the plan.

Upon studying the possibility of governmental programs to be used as a means of funding, it was found that the main programs which would include Urban Renewal, rent subsidy, rehabilitation loans, etc., are being phased out by the present administration. Also there are no funds from Revenue Sharing, public improvements funds etc., available through the city.

A final alternative at hand is the consideration of a Neighborhood "Coop". Along this line the residents of the area could get together and demand that the city officials enforce housing and city codes in the Shadybrook Addition community. Also the landowners and landlords could be brought under pressure by tenants to provide a method of upkeep of

property, with the threat of holding rent in escrow accounts until necessary improvements are made.

What is escrow? Escrow is deed, money or property put in the keeping of a disinterested third party, pending performance of obligations specified in the escrow agreement.¹⁵

The escrow concept has been applied to cases in which tenants wished to assure maintenance and repair. A case testing the validity of such application of the concept was heard in 1970. In this case, the tenant refused to pay rent because of the failure of the landlord to maintain the premises in a habitable condition in violations of housing regulations of the District of Columbia. Judgement in this case was finally rendered in favor of the tenant.¹⁶

The State of Kansas currently does not have an escrow law which permits utilization of this concept. However, the Kansas legislature is considering new legislation which would bring a balance of interest between the landlord and the tenant. One part of the proposal would contain an escrow clause. Under the escrow procedures, if a dwelling is declared unfit for human habitation, the tenant would pay his rent into an escrow account pending correction of defects in the dwelling. If the dwelling is not declared fit within 90 days, the tenant may vacate the premises and have the escrow money returned to him.¹⁷ This method appears to offer a means by which properties in the Shadybrook Addition can be rehabilitated and maintained.

What is a cooperative? In its widest sense, a form of human organization grounded in a belief that life is best ordered by mutual help rather than by individual competitiveness; more specifically, a combination of individuals organized for buying or selling as a means of

increasing the benefits or offering some service to the membership.¹⁸

This concept could perhaps be used for the Shadybrook Addition. Cooperatives have been used by poor neighborhoods as a way to put local and absentee gougers and "slumlords" out of business or at least to give consumers and tenants a decent alternative. So far in the state of Kansas, little has been done to turn existing low-rental apartments into cooperatives, although it is much talked about as a solution to abandonment and disrepair. The residents of the Shadybrook Addition must combine their efforts to achieve a common goal, that being better housing and a better neighborhood. They should consider the value of the cooperative's concept in their specific area and considering their specific circumstances.

FOOTNOTES

¹U.S. President's Committee on Urban Housing, Technical Studies, Volume I, Published 1967, p. 22.

²Estimate based on 1960 Census of Housing Data Update by Wichita-Sedgwick County Metropolitan Area Planning Department.

³New Jersey Department of Community Affairs.

⁴Ibid.

⁵National Commission on Urban Problems, Building the American City, Washington, D.C., Government Printing Office, 1968, p. 75.

⁶Ibid. p. 56.

⁷Doris B. Holleb, Social and Economic Information for Urban Planning, Chicago, Illinois, 1969, p. 92.

⁸U.S. Department of Housing and Urban Development, Urban Growth and New Community Development Act of 1970: Excerpts from Washington, D.C., Government Printing Office, 1970, p. 3.

⁹Joseph P. Fried, Housing Crisis, U.S.A., New York, Praeger Publishers, 1971, p. 178.

¹⁰U.S. Department of Housing and Urban Development, Urban Growth and New Community Development Act of 1970: Excerpts from Washington, D.C., Government Printing Office, 1970, p. 178

¹¹Lowdon, Wingo, Jr. Transportation and Urban Land, Baltimore, Maryland: Johns Hopkins Press, 1961, p. 75.

¹²Ibid.

¹³Charles Abrams, The Language of Cities, New York: Equinox Books Publishers, 1972, pp. 233, 94, 55, 56, 69, 24.

¹⁴This data was taken from the Wichita Metropolitan Planning Department's Code Enforcement Handbook.

¹⁵Op. Cit., Abrams, p. 105.

¹⁶Javins Vs. First National Realty Corporation, 428 F 1071 (1970) U.S. Court of Appeals, District of Columbia Circuit.

¹⁷Taken from an article that appeared in the Kansas State Collegian on July 18, 1973.

¹⁸Op. Cit., Abrams, p. 74

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