

BRONX BOORUGH PRESIDENT'S RECOMMENDATION
ULURP APPLICATION NO: C 210149 ZMX
Crab Shanty-361 City Island Avenue

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by SHAR-JO Rest. Inc. d/b/a/ Crab Shanty pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 4d, by establishing within an existing R3-A District a C1-2 District bounded by a line 100 feet northerly of Tier Street, City Island Avenue, Tier Street, and a line 120 feet westerly of City Island Avenue, Borough of The Bronx, Community District 10, as shown on a diagram (for illustrative purposes only) dated December 14, 20-20, and subject to the conditions of CEQR Declaration E-594.

BACKGROUND

Approval of this application will amend the Zoning Map to establish a C1-2 District in an existing R3-A District. This proposed amendment includes 361 City Island Avenue, which serves as the location for Crab Shanty Restaurant since 1977. Crab Shanty is a legal non-conforming Use Group 6 within the current R3-A zoning district. This location is also within the City Island Special Purpose District and the Lower Density Growth Management Area. Highlights of these designations include:

- **The City Island Special Purpose District:** To preserve the low-rise residential character of City Island and its “nautical village” profile. This special purpose district restricts building height, use of illuminated signage, establishes landscaping and screening requirements, most notably for parking lots. Development of waterfront lots require public seating areas next to the shoreline. Retail development is to be located on street level within a low-rise residential building. The City Island Special Purpose District was adopted in 1977 and is applicable to the entire island.
- **C1-2 District:** This is a commercial overlay within residential districts. Commercial development pursuant to this designation are intended to, first and foremost satisfy the local community’s needs. These include grocery stores, restaurants. Floor Area Ratio (FAR) within a R3 District is a maximum 1.0.
- **R3-A District:** Low-rise, modest sized, one and two family homes typifies the development scale found in this residential district. Maximum FAR is 0.5, but it can be increased up to 20% by an attic allowance for the inclusion of space beneath a pitched roof. Building height is restricted pursuant to the City Island Special Purpose District. Additional requirements are mandated by
- **The Lower Density Growth Management Area** mandates additional parking requirements based on the anticipated higher number of vehicular ownership found in lower density communities. Higher perimeter walls and increased minimum lot widths

are permitted. So too, a planted buffer between any group parking lot and an adjacent zoning lot is mandated.

The overall Block and Lot measurements include:

- Block 5633, Lot 122: 4,550 square feet
- Block 5633, Lot 124: 6,959 square feet
- Block 5633, Lot 127: 6,165 square feet
- Block 5633, Lot 137: 3,300 square feet

The proposed zoning amendment pertains to a portion of Block 5633, including parts of Lots 124, 127 and 137, and all of Lot 122, (the Project Area). The Project Area currently zoned R3A. It is located on the northwest corner of City Island Avenue at Tier Street. It is bounded by City Island Avenue on the east, Hunter Avenue to the west and Ditmars Street (a paper street) to the north and Tier Street to the south.

The Project Area includes 100 feet of frontage on City Island Avenue and 120 feet of frontage on Tier Street. The site measures 12,000 square feet. Crab Shanty Restaurant is located in a 1-story wood frame building composed of 2,780 square feet. This building is located entirely within Block 5633, Lot 137, occupying the southwest corner of the Project Area. An off-street parking lot is located on Block 5633, Lots 122 and part of Lot 124. Approval of this application will facilitate the reclassification of this facility as accessory parking for the restaurant, accommodating 19-vehicles. Approval of this application will allow the applicant to obtain:

- An updated Certificate of Occupancy
- Place of Assembly Certificate of Operation
- Place of Assembly Permit for a restaurant

Residential development in the surrounding community is typified by one-family, wood frame homes situated on landscaped lots. Retail development is found on City Island Avenue. The scope and scale of all development is subject to the provisions of the City Island Special Purpose District. City Island falls outside of a Transit Zone, although the Bx12 does operate on City Island Avenue offering transit services during the summer season. The nearest year round bus transit is accessible via the Bx29 at Bay Plaza/Co-op City. Express bus transportation via the BxM8 and subway service via the #6 train are both available at the Pelham Bay terminal-station of the #6 train.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application has been reviewed pursuant to CEQR and SEQRA and received a Negative Declaration. The City Planning Commission certified this application as complete on December 14, 2020.

BRONX COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board #10 held a virtual public hearing on March 18, 2021. A unanimous vote recommending approval of this application was, 34 in favor of approving this application, zero opposed and zero abstaining.

BOROUGH PRESIDENT'S PUBLIC HEARING

A virtual public hearing was convened by the Bronx Borough President on March 18, 2021. Representatives of the applicant were present and spoke in favor of this application. No other members of the public participated and the hearing was closed.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION

The Crab Shanty Restaurant has thrived on City Island for forty three years. Even so, because it is located in an R3A zone, which only allows for residential development, means that this dining spot originally established in 1977 fails to conform to zoning requirements most recently adopted in 2003. Consequently, to date Crab Shanty is a legal, non-conforming use. Approving this application would immediately rectify this status by mapping the proposed C1-2 overlay.

At my public hearing representatives of the applicant elaborated on how zoning nonconformance makes it difficult to improve the building in which Crab Shanty is located. This fact takes on even more credence given the severe impact our current health crises has had on places like Crab Shanty. As I see it, approving this application will also mean jobs are retained and perhaps even made more available as the weather warms and City Island's economy rebounds.

I also am mindful that owing to the City Island Special Purpose District, changes that might be proposed by the owners of Crab Shanty would remain subject to the R3-A/C1-2 District, one of the city's most restrictive designations. Then of course, there are the many dedicated residents of City Island who have successfully watched over their unique island for decades and continue doing so. Even as the sustainability of City Island as a nautical community has evolved, the people of City Island have met these challenges and prevailed. The result is a thriving community that is unmatched anywhere in New York City.

I therefore believe it is entirely appropriate to recommend approval of this application. A successful business such as the Crab Shanty Restaurant offers employment, provides folks with a place to meet and is a good reason for those visiting City Island to do so.

While taking note of the unanimous endorsement of this application by Bronx Community Board #10, I recommend approval as well.