

Shell station set to close

Convenience store, mechanic's garage also will be shut April 30.

By MEGAN V. WINSLOW
Daily News Business Writer

When all other island stores are closed and the nicotine cravings become too strong to ignore, smokers come to the Palm Beach Shell station for relief.

The Royal Poinciana Way convenience store also attracts mothers seeking gallons of milk, their dry rain jackets failing to completely hide the nightgowns beneath.

But come April 30, late-night shoppers must travel into West Palm Beach and drivers' options for gasoline on the island will be limited to the Sunoco in Midtown. The Shell station, convenience store and mechanic's garage at 231 Royal Poinciana Way are all officially closing that day.

"Every one of my customers is going, 'What? You can't. You can't,'" said Pell Rogers, the station owner for the past 12 years.

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Daily News Photos by Jeffrey Langlois

A sign on the counter at the Shell station tells of the future for one of only two gas stations in Palm Beach. It states "To all our Palm Beach Shell customers. We regret to inform you that the business will be closing at the end of April, until then it will be business as usual. For the past 12 years we have appreciated your business and thank you for your patronage. Pell and Mary Lynn Rogers."

Workshop examines Poinciana Way decline

By WILLIAM KELLY
Daily News Staff Writer

The high cost of property taxes, insurance and maintenance on old, deteriorating buildings.

A restrictive and out-of-step zoning code that discourages investment or redevelopment.

And a worrisome scarcity of customer traffic and parking.

These factors were cited at a public workshop Tuesday as reasons the Royal Poinciana Way business district is slowly dying, or at least in decline.

Les Evans, a property owner and businessman on the street, called revitalization of the high-

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SHELL

Lawsuits dispute lease

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"But I don't have a choice."

Rogers said a confidential settlement with the property's owners, the Testa family, prevents him from discussing exactly why the business must close, but court records indicate his company, Atlantic Marketing Inc., has been battling over his lease with the Testas since 2007.

The Testas claim Rogers' lease expired in April 2007, but he contends they gave him the option of a 10-year renewal allowing him to stay in business until 2017, according to paperwork filed in two lawsuits between the parties.

But the Testas "wrongfully determined that the ten-year option it granted was not in Testa's best interest due to the determination by Testa's to seek to redevelop the subject property for condominium units," according to paperwork submitted by Rogers' attorney.

The two parties reached a settlement in July 2008, according to court documents.

On Tuesday, the Testas' attorney, Frank Lynch, deferred to them for comment on the closing, but they didn't return phone calls.

Notices placed on the Shell store counters this week have warned customers of the impending change: "To all our Palm Beach Shell Customers. We regret to inform you the business will be closing at the end of April, until then it will be business as usual. For the past 12 years we have appreciated your business, and thank you

for your patronage."

As mentioned in the lawsuits, the Testas want to demolish their historic restaurant at 221 Royal Poinciana Way and the adjacent service station to make room for four four-story buildings containing 39 homes, three commercial units and a parking garage. To do so, they have applied to the Planning and Zoning Commission for zoning changes.

Another factor motivating demolition is a state law requiring gas stations to replace antiquated underground storage tanks with double-walled ones by Dec. 31 to avoid spills. The process costs as much as \$400,000.

As he regularly takes his car to the Shell for service and his stomach into the store for deli sandwiches, Planning and Zoning Commission member Leslie Shaw said he considers the station's departure "a tragic loss."

But he also understands why the Testas want to rebuild.

Not only is the station "one of the ugliest things" along Royal Poinciana Way, but there are economic issues at play, Shaw said.

"The bottom line is that not enough people use the gas station to make it profitable for them," Shaw said. "They're not giving up the gas station because it's an economic success."

Pausing to chat as he filled his Mercedes on Monday, North End resident Sid Ritman said he was sorry to hear of the station closing.

Ritman said he fills his car there about two times a week because it's convenient and safer than in West Palm Beach.

"I really think it's a shame," Ritman said.

Paul Goodkin, the owner of the P.

Goodkin watch and jewelry store just west of the Shell, will regret the loss of the take-out food he and his wife frequently buy from the deli.

"I think a lot of people will miss it, but I think it's more about the big picture: It's really the only convenience store on the island," Goodkin said.

Rogers will continue to stock the store with inventory, but he said he is scaling back and might not buy as many items as he once would.

"I'm not happy about leaving," Rogers said. "I'll miss all the customers. ... This puts 16 people out of work."

That includes store manager Dave Clayton, who anticipates filing for unemployment due to a lack of other occupational options.

"It's no secret there's not much out there to be found," the 55-year-old island resident said.

Rogers said he's also concerned about the financial losses he will shoulder when the business closes. In addition to the nearly \$50,000 worth of inventory he has in the store, there is mechanical equipment such as engine analyzers in the garage costing as much as \$9,000 each.

And most other service centers no longer use the \$10,000 tire changer Rogers bought about 10 years ago, so he doesn't know who he can sell it to.

Town officials have never issued a formal opinion on the station's fate, but it would not matter if they did, said John Page, Planning, Zoning and Building Department director.

"I'm sure many people will be sad to see it go, but it's not a town decision," Page said. "It's the business owners' decision."

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