

**THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

\_\_\_\_\_  
In the Matter of: )  
 )  
PT Opco, LLC )  
t/a Pink Taco )  
 )  
Holder of a )  
Retailer's Class CT License )  
 )  
at premises )  
100 M Street, SE )  
Washington, D.C. 20003 )  
\_\_\_\_\_ )

License No.: ABRA-119694  
Order No.: 2022-265

PT Opco, LLC, t/a Pink Taco, Licensee

Edward Daniels, Chairperson, on behalf of Advisory Neighborhood Commission (ANC)  
6D

**BEFORE:** Donovan Anderson, Chairperson  
James Short, Member  
Bobby Cato, Member  
Rafi Crockett, Member  
Jeni Hansen, Member  
Edward S. Grandis, Member

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**ORDER ON FIRST AMENDMENT TO COOPERATIVE AGREEMENT**

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The official records of the Alcoholic Beverage Control Board (Board) reflect that PT Opco, LLC, t/a Pink Taco (Licensee), and ANC 6D entered into a Cooperative Agreement (Agreement), dated January 10, 2022, that governs the operations of the Licensee's establishment. This matter comes now before the Board to consider the Parties' First Amendment to Cooperative Agreement (Amendment), dated May 9, 2022, in accordance with D.C. Official Code § 25-446 (2001).

The Amendment has been reduced to writing and has been properly executed and filed with the Board. The Licensee and Chairperson Edward Daniels, on behalf of ANC 6D, are signatories to the Amendment.

Accordingly, it is this 8th day of June 2022, **ORDERED** that:

1. The above-referenced First Amendment to Cooperative Agreement submitted by the Parties to govern the operations of the Licensee's establishment is **APPROVED** and **INCORPORATED** as part of this Order;
2. All terms and conditions of the original Agreement, not amended by the Amendment, shall remain in full force and effect; and
3. Copies of this Order shall be sent to the Licensee and ANC 6D.

District of Columbia  
Alcoholic Beverage Control Board

eSigned via SeamlessDocs.com  
*Donovan Anderson*  
Key: 4243695b992c70946720293d10cc0f

Donovan Anderson, Chairperson

eSigned via SeamlessDocs.com  
*James Short*  
Key: 547ae373820c0e0e811b333a92249e

James Short, Member

eSigned via SeamlessDocs.com  
*Bobby Cato*  
Key: 289d3fcd8b6146d74b75bd7917d20d

Bobby Cato, Member

eSigned via SeamlessDocs.com  
*Rafi Aliya Crockett, Member*  
Key: b560e91845e18e401d155e5c1281ec

Rafi Crockett, Member

eSigned via SeamlessDocs.com  
*Jeni Hansen, Member*  
Key: 82172931f55094474f1b50f5c3a41809

Jeni Hansen, Member

eSigned via SeamlessDocs.com  
*Edward Grandis, Member*  
Key: 5027bda7709f0040e014daeb52541ce5

Edward S. Grandis, Member

Pursuant to D.C. Official Code § 25-433(d)(1), any party adversely affected may file a Motion for Reconsideration of this decision within ten (10) days of service of this Order with the Alcoholic Beverage Regulation Administration, 2000 14<sup>th</sup> Street, N.W., Suite 400S, Washington, DC 20009.

Also, pursuant to section II of the District of Columbia Administrative Procedure Act, Pub. L. 90-614, 82 Stat. 1209, D.C. Official Code §2-510 (2001), and Rule 15 of the District of Columbia Court of Appeals, any party adversely affected has the right to appeal this Order by filing a petition for review, within thirty (30) days of the date of service of this Order, with the District of Columbia Court of Appeals, 430 E Street, N.W., Washington, D.C. 20001; (202/879- 1010).

However, the timely filing of a Motion for Reconsideration pursuant to 23 DCMR §1719.1 (2008) stays the time for filing a petition for review in the District of Columbia Court of Appeals until the Board rules on the motion. See D.C. App. Rule 15(b) (2004).

### First Amendment to Cooperative Agreement

THIS FIRST AMENDMENT to COOPERATIVE AGREEMENT ("First Amendment") is made on 9<sup>th</sup> day of May, 2022 by and between PT Opco, LLC ("Applicant") and Advisory Neighborhood Commission 6D ("ANC"), collectively, the "Parties". This First Amendment updates the Cooperative Agreement dated January 10, 2022 ("Agreement") which was approved by the ABC Board pursuant to ABC Board Order 2022-021.

### WITNESETH

WHEREAS, the Applicant has applied for a new Retailer's Class C Tavern license for a restaurant business establishment located at 100 M Street, SE, Washington, D.C. 20003 ("Premises"), with indoor space on the ground floor with Sidewalk Café, Entertainment and Carry-out and Delivery endorsements at the Premises;

WHEREAS, Applicant seeks to apply for a summer garden endorsement, and amendments to the Agreement are required to address the Applicant's summer garden operation at the Establishment;

WHEREAS, the Parties request that the Alcoholic Beverage Control Board approve this First Amendment conditioned upon the Applicant's compliance with the terms of this written First Amendment, previously executed Agreement, Board Order, and ABRA License; and

NOW, THEREFORE, in consideration of the recitals set forth above, it is mutually understood and agreed by and between the Parties to amend the previously executed Agreement as follows:

1. Recitals Incorporated. The recitals set forth above are incorporated herein by reference.
2. The first paragraph after "WITNESETH" appearing on page one of the Agreement is hereby amended in its entirety to read as follows:

*"WHEREAS, Applicant has applied for a new Retailer's Class C Tavern license (the "License") for a business establishment ("Establishment") with indoor space on the ground floor and one sidewalk café and summer garden on the ground floor located at 100 M Street SE, Washington, D.C. 20003 ("Premises"). The License includes endorsements for a sidewalk café and summer garden, entertainment, and Carry-out and Delivery; and"*

3. Section 2 "Hours of Operation and Sales" is hereby amended by deleting the phrase "Sidewalk Café" wherever it appears in such section and substituting in lieu thereof in each instance the phrase "Sidewalk Café and Summer Garden";
4. The second sentence in Section 3 "Floors Utilized and Occupancy" is hereby amended by deleting the phrase "94 seats on the Sidewalk Café" and substituting in lieu thereof with the phrase "22 seats on the Sidewalk Café and 60 seats on the Summer Garden";

5. Notice contact paragraph for Applicant in Section 10 "Notice and Opportunity to Cure" is amended by deleting

"Attn: Stephan Schneider  
Phone: (212) 265-2000  
e-mail: [sschenider@pinktaco.com](mailto:sschenider@pinktaco.com)"

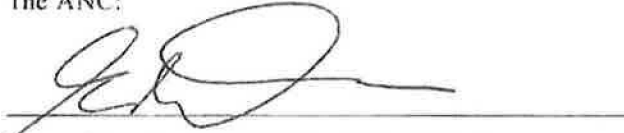
and substituting in lieu thereof the following:

"Attn: Angelo Apietrunti  
E-mail: [aPietrunti@pinktaco.com](mailto:aPietrunti@pinktaco.com)"

6. Agreement Otherwise Unamended. Except as otherwise provided herein, the terms and conditions of the executed Agreement, Board Order, and ABRA License are expressly reaffirmed and remain in full force and effect;
7. No Protest. Upon execution of this First Amendment by the Parties and its acceptance by the ABC Board, and in reliance thereupon, the ANC shall refrain from filing a protest of the Applicant's pending ABC license application and summer garden endorsement application.

[Signatures on the following page]

The ANC:



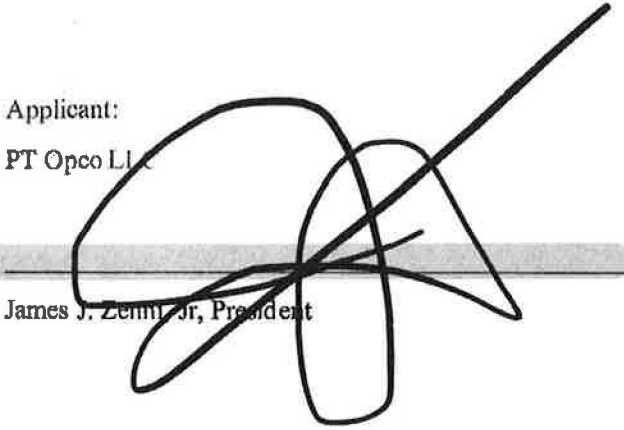
Edward Daniels, ANC 6D07, ANC 6D Chairperson

5/9, 2022

Date

Applicant:

PT Opco LLC



James J. Zemi, Jr, President

5/31, 2022

Date